# THE JEWS OF EASTERN EUROPE

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## FOREWORD

We know but little of the New Russia and of the problems of that vast aggregation of peoples.

Driven from Russia and neighboring lands by persecution or because of economic conditions the Eastern European Jews have come to America. New York contains about two million Jews.

These Jews—energetic, enterprising, frugal and intellectual—have added to the wealth and industrial power of America. But this success has aroused jealousy, and the insignia of the Ku Klux Klan has been dragged from the grave in which it was buried on South Mountain to appear at the head of a crusade of envy and intolerance.

Everyone concerned with the future of our country must read this book, which in itself is absorbing and opens for us a new and most interesting chapter of the History of our own Era.

JAMES W. GERARD.

*New York, December,* 1925.

# INTRODUCTION

The World War, the Russian Revolution and the chaos, anarchy and Bolshevist experiments which followed afterwards in the territory of the former Russian Empire combined to produce some very radical changes in the old order of things. Upon the ruins of what had been the greatest empire on earth there appeared new and independent states: Finland, Poland, Esthonia, Latvia, Lithuania. Moreover, all the more or less important nationalities that had made up pre-War Russia manifested after the revolution a desire for national autonomy or even complete political sovereignty. In any case, the present map of Eastern Europe differs materially from the pre-War map.

On the other hand, Europe and the rest of the world are still very far from real peace and from the fixing of boundaries that would preserve the *status quo* established by the Versailles Treaty for any length of time. No one is able to predict at the present moment what changes and upheavals are going to occur in Europe, and especially in the territory of the former Russian Empire.

Under these circumstances one is bound to subject to a careful revision the old terminology as applied to the various territories and groups of people inhabiting the countries of Europe. A similar need of new terms exists also with regard to the Jewish population of the former Russian Empire. Prior to the Russian Revolution the term "Russian Jews" covered all of the six and a half million Jews in the empire. To-day this term will no

longer suffice, for it does not cover any longer the Jewish population of Poland, Lithuania, Latvia, Ukraine, Georgia, and so on. And since the process of the differentiation of the nationalities of the former empire is not yet completed, the author has deemed it proper and correct to apply to the subject under discussion the general term "The Jews of Eastern Europe," having in mind those Jews who at this time inhabit the vast territory of the former Russian Empire. The fact that the term "Eastern Europe" does not include Siberia and the other Asiatic possessions of Russia is of no particular moment in the present instance, in view of the insignificant number of Jews in that part of the former empire.

The first part of this book deals with the political life of the Jews in Russia before the revolution and with the part played by Jews in the same. The author describes and analyzes the essential features of the Jewish political parties in Eastern Europe, and furnishes some sketches of Jewish agriculture in that part of the world, with particular reference to the latest attempts to establish Jewish agricultural settlements in the Crimea and Ukraine, under the auspices of the Soviet Government.

The author cherishes the belief that he has been impartial in his conclusions as to the absence of radicalism among the overwhelming majority of the Jews of Eastern Europe. His impartiality in this instance would appear to be unquestionable since he himself has always advocated very progressive and advanced views, having participated in the moderate Socialist movement of Russia and Ukraine.

In the three last chapters of part one the attempt has been made to give a general idea of the origin and nature of the Jewish pogroms in Eastern Europe before and after the Russian Revolution.

The second part of the present volume is devoted to the Beiliss case.

In part three the author dwells upon some aspects of Jewish immigrant life in the United States.

Without pretending in the slightest degree to having presented an exhaustive picture of the life of Eastern European Jewry, the author would merely state that he has dwelt chiefly upon those aspects of that life with which he is most familiar, through personal observation and experience on the spot, as well as through the press and the testimony of eye-witnesses of events which occurred in recent years upon the territory of the so-called "Union of Socialist Soviet Republics."

It is possible, of course, that the author has not always been thoroughly informed about the events of the last few years in that part of the world, in view of the chaos and difficulties in the ordinary means of communication and information. An exhaustive study of all these events will have to be left to the future historian of the Russian Revolution and the troubled times which followed in its wake. Only a restoration of normal conditions in Eastern Europe, permitting the collection and study of all the materials and all the data, can afford us the opportunity for an exhaustive study and treatment of the subject.

In conclusion the author wishes to acknowledge with thanks his indebtedness to The Seven Arts

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ARNOLD D. MARGOLIN.

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# CHAPTER I

## THE JEWS AND THE RUSSIAN REVOLUTION

### I

BEAUMARCHAIS, in his justly celebrated comedies, shows with consummate artistry how the acid of calumny etches its way through all the tissues of life until the whole fabric of existence is corroded and burnt by this vitriolic tongue-poison. Truth haltingly, lamely always follows in the wake of falsehood. Sometimes truth reaches its goal, but more often than not too late to succor the victim.

The Jewish people have suffered more than all other peoples from easily spreading words that fall glibly from lying tongues. To be accused of all the crimes in all the calendars has been their lot. They have been charged with the blood guilt of ritual murder; they have been held to view as parasites living at the expense of other people; they are said to be exploiters and usurers; bearing false-witness and the taking of false oaths are believed to be their common custom; shirking military duty is believed to be a national trait; so begins the long and slimy list of calumnies.

One of the most dangerous of all these calumnies always has been the fairy-tale about Gentile children being stolen by Jews for ritual purposes. This used to be renewed at nearly every Christian Easter in the former Russian Empire. But this absurd fable led into error only the dark, ignorant masses. In fortunate cases the lost chil-

dren were found alive and unhurt even before the Jewish pogrom had started; in the worst cases the "misunderstanding" was cleared up after the pogrom had taken place. But in any event all the exertions of Plehve, Shmakov, Shcheglovitov, and other rabid pogrom instigators could not convince enlightened Russian society—let alone the nations of Western Europe and America—that the Jews used Christian blood for their religious rites. In the twentieth century this slander is doomed to the same fate as that of the medieval allegations that the Jews had hoofs or horns.

The question of the creative role played by the Jews and their participation *en masse* in Russian Bolshevism is the burning topic of the day all over the world. The calumnies and lies in this field are especially dangerous owing to the fact that the masses of the population in most of Eastern Europe are still on a low educational level and therefore easily influenced in any direction. It is but natural that there are Jews among the Bolsheviki,—the Jews took and still take part in the Bolshevik government, in responsible as well as in subordinate positions. These facts are too generally known and manifest, and it would be absurd to deny them.

The question, however, reduces itself to the *degree* in which the Jews participate in Russian Bolshevism. What are the quantitative and qualitative part and guilt of the Jews in all the anarchy that pervaded the erstwhile Russian Empire after the disastrous war and the revolution of 1917? Is this anarchy a purely Russian occurrence, or has it been created by the decomposing and distinctive genius of the Jews? How much truth is there and

what constitutes calumny in the accusations being hurled at the entire Jewish people at present? Is there any truth in them and to what gigantic form of fiction and legend has it been inflated by the fancy and ill-will of the enemies of the Jew?

The final exhaustive answer to these queries will be given by the historian. As for us contemporaries, we can but prepare the work of the future historian—by gathering and making public the facts known to us.

The founder and theorist of Bolshevism, representing the extreme current of Russian social-democratic thought, is Lenin. The Jew Trotzky always belonged to the Menshevik fraction and became Bolshevik only in September 1917. Stalin, Rykov, Krassin, Chicherin, Kalinin, Rakovsky are Gentiles. The Jews Kamenev and Zinoviev, although old lieutenants of Lenin, opposed the dispersion of the Constituent Assembly in January, 1918.

In general, the extreme maximalism of program demands and tactical methods had been a very characteristic trait of purely Russian socialistic thought. Suffice it to mention Bakunin and his dispute with the Jew—Karl Marx, who was more moderate.

Among the so-called "Decembrists" (in the third decade of the nineteenth century), there was not a single Jew. The party of Socialist-Revolutionists, the most numerous in the former Russian Empire, is in its roots and its ideology a *peasant* party. Until the revolution of 1917 the Socialist-Revolutionists had been the only Russian party that made use of terror in combating the Tsar's government.

Nearly all the peasants of the vast empire had voted for this party at all elections. On the other hand, in the cities and small towns, where Jews lived, the inhabitants had voted overwhelmingly for the candidates put forward by the bourgeoisie, while the workingmen's section of the population had voted for the Social-Democrats. The share of the Jews in the organized Russian socialist movement had never been preponderant. This is a fact widely known to anyone even superficially acquainted with the conditions of Russian reality and Jewish life in the Russia of the Tsars. As for the unorganized, purely elemental rioting, of which the roots run into the deep past, into the bold raids of Stenka Razin and other *atamans* (chieftains) like him—the Jews had absolutely no part in these characteristic events of Russian life. Nor did the Jews take any part in the peasants' uprisings against the land-owners, during the years of 1904-5.

Beginning with 1905, after the manifesto of October 17 (30), the Jews were admitted to participate in the elections to the Imperial Duma. As the results of the elections for all of the four Imperial Dumas proved, the Jews had voted, in overwhelming majorities, for the candidates of the Constitutional-Democratic Party (the "Cadets"). True, these elections afforded no basis for forming definite conclusions as to the number of Socialists and non-Socialists in the entire Jewish population. As is well known, the electoral law was based on property (or tax) qualifications and the curial system. In particular the workingmen cast their votes as a special *curia*. And the number of working-

men's representatives admitted under the law was insignificant.

However, the elections to Jewish communities were not held on the basis of property or tax qualifications. The whole Jewish population took part in these elections. Nevertheless, the greatest number of votes was cast for the so-called "Bourgeois-Zionists" and the groups allied with them.

The majority of the most popular representatives of the Jews of this period (1905-1917) belonged either to the general Russian democratic bourgeois groups and parties (Vinaver, the late Yollos), or to the moderate liberal elements of Jewry (Sliozberg), or to the Zionist Bourgeois Organization (Sokolov, Motzkin, Jabotinski, Shmariah Levin and others). Jewish Socialists of all shades and groupings nearly always turned out to be in the minority. For several decades the Jewish population of Kiev was headed by Dr. Mandelstam, one of the most popular leaders of the Jews, a confirmed democrat, yet a pronounced opponent of Socialism.

This kind of co-relation of groups among the Jews correctly reflected the essence of the economic and class structure of the Jewish communities. The majority of the Jewish people of the Russian Empire were engaged in commerce and trades. Hence their gravitation toward bourgeois liberalism. Even after a Jewish proletariat had developed in Lithuania and White Russia, and later in Ukraine, Jewish Socialists always constituted a minority of the Jewish population, despite the intensive propaganda and the multitude of Jewish Socialist parties that had come into being (Bund, Poale-

Zion, "Socialist-Zionists," "Jewish Socialists" or "Seymists").[1]

At all elections, the "bourgeois" Zionists kept on capturing a greater number of votes than all the Jewish Socialist parties (headed by the Bund) combined.

On the other hand, the status of disability, the persecutions and the pogroms created a favorable soil for increased emigration beyond the borders of the Russian Empire and for strengthening, in the wide Jewish masses, the yearning to build their own Jewish state or an autonomous place of refuge, internationally protected (National Home). Along with this, nearly all Jewish parties put forward demands for the broadest national and even political autonomy for the Jews in the lands of the diaspora. These demands have been most completely and strikingly formulated by Kh. Zhitlovski and the late Mark Ratner.

However, in spite of this completeness of their national program—a national autonomy with a national diet in the diaspora, and a territory of its own for the future Jewish state—neither the Poale-Zion nor the "obiedinentsy" (fusionists) had gained an influential position among the Jewish masses.

The true essence of Judaism in Tsarist Russia on the eve of the revolution of 1917, and the inter-relation of groups within the Jewish population during the epoch mentioned, are brought out by these simple facts more eloquently than by any involved and ingenious explanations. No honest and

[1] Subsequently the Socialist Zionists and Seymists fused into one party, the so-called "United Socialists."

dispassionate student of this period can ignore this language of figures. In the face of these facts the mere proofless assertions that "all Jews are Bolsheviki," that the Jews had prepared the soil for the disintegration of Russia and the triumph of Bolshevism, are a manifest calumny, of which the Jewish population of the former Russian Empire is to be made the innocent victim.

In the following section we shall endeavor to give a true picture of the events and facts which predestined success for the Bolshevik propaganda in 1917 and created the proper conditions for the transition of power into their hands.

## II

The peaceful and bloodless revolution of 1917 (February-March) broke out in Petrograd. The leading active role in this swift and almost painless upheaval was played by the troops stationed at that time in Petrograd. Simultaneously with the troops, well-nigh the whole population revolted against the old regime. The Fourth Imperial Duma, too, proved fully equal to its task. One part of the reactionaries and monarchists sitting in the Imperial Duma withdrew into the background and held their peace, so sweeping was the universal enthusiasm of the population both in the capital and throughout the land. Another part of the erstwhile reactionaries passed through a sincere evolution, thanks to the lessons taught by the disastrous Great War; they joined those who for decades had waged a stubborn fight for the overthrow of Russian autocracy and the introduction of a constitution. Thanks

to this sentiment of the Imperial Duma, it became the natural storm-centre of the whole movement during those days of upheaval.

On March 2 (15) Deputies Guchkov of the Imperial Council and Shulgin of the Duma called on Nicholas II and, in the name of the Imperial Duma, suggested that he abdicate. That very day Nicholas II signed his abdication in favor of his brother Michael. On the same March 2 a Provisional Government, headed by Prince Lvov, was founded by agreement between the Imperial Duma and the Council (Soviet) of Workers' and Soldiers' Deputies. On March 3 Michael gave up the throne in favor of the Provisional Government.

All these facts are proof palpable that the role of the Jews in the revolution had been insignificant. The number of Jews among the troops then stationed in Petrograd was minimal. Thanks to the peculiarities of the Stolypin electoral law there were but two Jewish deputies in the Fourth Imperial Duma. These two deputies (Friedman and Bomash) defended in the Duma the purely Jewish interests very conscientiously. But they did not and could not play any role whatever in the final decision of general Russian problems in that so-called "parliament," where the overwhelming majority of seats were held by representatives of large landed estate interests and of bureaucracy.

There was not a single Jew in the personnel of the Provisional Government. Similarly, there were no Jews among those constituting the Second Provisional Government headed by Kerenski. This is explained by the fact that the most influential Jewish organizations and the leading Jewish centres

had decided to abstain from active participation in the first steps toward establishing the new régime.

The following motives determined this decision. There could be no doubt as to the sympathy of the Jews with the constitutional régime. Quite the contrary—the reactionaries had always accused the Jews of being the principal fomenters of revolutionary ideas in Russia. Now, more active participation of the Jews in the revolution and the presence of even one Jew in the make-up of the Provisional Government would have created a most fertile soil for lying allegations that Russian absolutism had fallen exclusively through the Jews.

In the present chapter we shall not attempt an appraisal of those motives. As a matter of fact, all concrete offers of responsible posts on the part of the governments of Lvov as well as of Kerenski to prominent Jews were rejected by the latter. The force of Jewish public opinion and the discipline in the ranks of the Jews of the Russia that had just shaken off the yoke of absolutism compelled this firm stand.

The festive days of the Russian revolution lasted but a short while. Having lived for centuries in darkness and ignorance, under the hypnotic force of the Tsar's absolutism, the nations of Russia seemed intoxicated by the sudden gust of the fresh and invigorating air of freedom. The *Soviets* (Councils) of Workingmen's, Soldiers' and Peasants' Deputies were unwilling to content themselves with gains within the scope of the bourgeois republic's program. They put forward a number of extremist rallying cries for social and economic reforms.

But the war was still unfinished. Along the entire Western frontier of Russia there were German and Austrian troops awaiting further developments after the revolution.

Fifteen million of the male population of the Russian Empire were still under arms. Among these were men of the many different nationalities of which the population of the Russian Empire consisted. The majority of them were peasants. All of them were convinced that the revolution was bringing them peace, a return to their homes and a solution of all burning questions. Brought up amid the surroundings of the old régime, they had waged war merely from fear, without rendering themselves any account of its purposes. Now, after the Tsar's abdication and the proclamation of liberty, they could not understand for the sake of what future blessings they should continue to bear the burden of war and risk their lives.

Loudly the peasants demanded peace with the Central Powers. "We need no foreign land," they said; "the land of our land-owners, monasteries and of the crown will do for us." During the course of several decades all the political parties of the opposition had promised them "land and liberty" as a result of the future revolution.

Now, the revolution had come and yesterday's slaves were eagerly reaching out for full, unlimited liberty, were straining with impatience to get home to their villages, to receive their share in the partition of the neighboring estates of land-owners or the crown.

Meanwhile the allied governments of the Entente demanded that the Provisional Government of Rus-

sia resume military operations and carry on the war "to a victorious termination." In the latter part of June Kerenski announced an offensive. This offensive proved fatal and precipitated the collapse of the Russian army. The defeats near Riga and Tarnopol were the most severe in the entire war. As a result, the whole army disintegrated and gradually began to turn into a mere mob of armed men, submitting to no discipline, idle and without anything whatever to do. There followed willful desertions from the front, the selling of cannon and machine guns to the Germans and the Austrians. Demobilization had begun. And the soldiers carried off with them their rifles and other guns, so dangerous in their undisciplined hands at so troublous a time.

This demobilization lasted several months and led to a total disorganization of the network of railroads, as well as of the rolling stock. The peaceful inhabitants experienced all the terrors concomitant with such demobilization. Like locusts, the soldiers devoured and destroyed on their way whatever they could lay their hands on.

Amid these conditions a small band of men calling themselves *Bolsheviki* began their propaganda and fight against the Provisional Government. The government exhorted the army and the navy to go on with the war, the Bolsheviki demanded the immediate conclusion of peace. True, among the Social-Democratic *Mensheviki* and among the Socialist-Revolutionists there was also noticeable a strong tendency in favor of an immediate cessation of the war. But Avksentiev, Mme. Breshkov-

skaia, Plekhanov and several other popular leaders of the Socialist-Revolutionists and Social-Democratic Mensheviki were on the side of the government, while the Socialist Kerenski was even its head. In the army, the navy and throughout the country all this created the impression that only the Bolsheviki were the true apostles of peace.

"Bolshevism means no war-making," the soldiers used to say when asked what they understood that word to mean. Miliukov and Kerenski were inveighed against in the most abusive terms by the soldiers who maintained that "Kerenski and all the twelve ministers are *zhidy* (sheenies)." They were in ecstasy about Lenin and Trotsky and would not believe in Trotsky's Jewish descent. "He is for peace, therefore, he is one of ours," they said of Trotsky. This rallying-cry of the immediate cessation of the war laid the foundation of the subsequent success of the Bolsheviki. A considerable part of the army and the navy formed a compact body around this rallying-cry. A formidable prop had been found by the Bolsheviki.

It is erroneous to think that it was the agrarian program of the Bolsheviki that appealed to the peasants. In this respect the Socialist-Revolutionists were giving maximal promises beyond which it was impossible to go. Moreover, the party of the Socialist-Revolutionists had long since enjoyed the confidence and sympathies of the peasants. The Bolsheviki saw and made allowance for all these circumstances. They focused all their attention on the question of war and their propaganda was carried on chiefly in the army and the navy. As early as in November they overthrew Kerenski's govern-

ment and seized the power. Soon the elections to the Constituent Assembly began.

Notwithstanding that the agents of the new Bolshevik government exerted a powerful pressure on the voters, encroached upon their liberty, resorted to threats and violence—an overwhelming majority of the peaceful peasant population voted for the Socialist-Revolutionists, while a considerable part of the city inhabitants voted for the candidates of the liberal-bourgeois party of the Constitutional Democrats. The votes for the candidates of the Bolsheviki were cast chiefly by the soldiers and sailors who had been enfranchised.

Having thus found themselves a minority in the membership of the Constituent Assembly, the Bolsheviki, with the aid and support of the same soldiers and sailors, dispersed the Constituent Assembly on the first day of its convocation, that is, on January 5, 1918.

The elections to the Constituent Assembly were held according to the so-called proportional system. This had given each party an opportunity to put up its own lists of candidates. In all the governments (districts) with a considerable number of Jewish inhabitants, several Jewish national tickets were put up. Each Jewish party recommended its own candidates. The results of the election proved that over 60 per cent of Jewish voters had cast their votes for "bourgeois"—Zionists and groups allied with them. A considerable part of Jewish electors had also voted the general tickets of the Constitutional-Democrats and the Mensheviki. The Jewish workingmen had cast their votes principally for the Bund and the Poale-Zion, and only the most insignificant

minority of demagogically-minded Jewish youths voted for the Bolsheviki at that time.

Among the Bolsheviki elected to the Constituent Assembly there was an insignificant handful of Jews. With the exception of Trotsky, these were persons hitherto almost unknown. They had not been elected by Jewish votes, but—like all the other Bolsheviki—by the votes of soldiers and sailors. On the other hand, among the deputies elected by the Jewish national groups and by the party of Constitutional Democrats and Socialist-Revolutionists, were the most popular and respected names of the former Jewish communal and social workers.

Among the sailors who dispersed the Constituent Assembly at the point of the bayonet there was not a single Jew.

## III

After the dispersion of the Constituent Assembly, the power of the Bolsheviki established itself with comparative firmness only in Great Russia (Russia in the narrower, true sense). Esthonia, Latvia, Lithuania, White Russia, Gruzia (Georgia), Armenia, Azerbaijan, the Territory of the Don, Kuban, the vast Ukraine and Crimea viewed with envy Finland and Poland, which had proclaimed themselves independent states and thus fenced themselves off from Russian Bolshevism and anarchy.

A stubborn struggle began between the above-mentioned territories of the former Russian Empire and Soviet Russia. Thanks to a succession of fortunate circumstances, Esthonia, Latvia and Lithuania have maintained their independence and

established order on the basis of genuine democracy. Of the newly formed states in the Caucasus, Gruzia lasted the longest. But, in the end, even she succumbed in the unequal struggle against the Bolshevist invaders. The Territories of the Don and Kuban and Crimea had long been the base of operations of the White generals Denikin and Wrangel, while Siberia was the base of Kolchak's army.

Ukraine, on her part, set against the Soviet Government her own national "central rada," a parliament of delegates of the political parties. As long as there existed a Provisional Government in Petrograd the central rada demanded a federation of Ukraine and Great Russia. But when the Bolsheviki got into power the attitude of Ukraine's population took a sharp turn. Only after the Constituent Assembly had been dispersed did the central rada proclaim Ukraine an independent state (Jan. 9, 1918). Shortly before this occurred the recognition of Ukraine as an independent state by the Governments of France and Great Britain, and in February, at Brest-Litovsk, by the Central Powers. The Bolsheviki found themselves forced to give up their claims to Ukraine and recognized her independence. From that moment on till the beginning of 1919 Ukraine was free from anarchy and Bolshevism. And only after the German-Austrian armies had withdrawn was the movement of the Bolsheviki from the north resumed against Ukraine.

Since that time the Soviet Government has been making strenuous efforts to retain its hold on Ukraine, the most fertile territory of the former empire. In spite of desperate resistance on the part of Ukrainian peasants, the Bolsheviki had been

waging war for the possession of Ukraine—now with Denikin's army, now with the Ukrainian national army, and then again with the irregular bands of Makhno and Zeliony. This protracted struggle created a state of lasting anarchy, cruel Jewish pogroms and complete devastation of the land.

We shall not attempt here an analysis of the causes of all these occurrences. Here we are interested in the question of the role played by the Jews in all the anti-Bolshevist activities.

Precisely in Great Russia, where the Bolsheviki have maintained themselves most firmly and where their rule has remained to this day, the Jewish population has been insignificant (1%). This is explained by the fact that only graduates of higher educational institutions, dentists, guild artisans and merchants of the first guild (highest rank) had been entitled to settle in Great Russia.

As is well known, considerable masses of Jews live in Poland, Ukraine, White Russia and Lithuania. And, in spite of this, Bolshevism has not gained any foothold either in Poland or Lithuania. On the contrary, the Jewish population in Lithuania has evinced its utmost sympathies with the aspirations of the native Lithuanian population in building the State of Lithuania. Suffice it to mention the names of Rosenbaum and Soloveichik, who have toiled so much for the welfare of Lithuania and its population. And if in Poland the Jews have shown themselves less active in the work of state building, the fault is to be found with the Poles who avoid so broad a co-operation on the part of the Jews.

In White Russia, too, the Jewish population worked hand in hand with the native White-Russian circles in their efforts to save their territory from Bolshevist invasion and subjugation. And if these efforts have not been crowned with success, the responsibility does not devolve upon the White Russian Jews in any event.

Sufficiently marked was the active anti-Bolshevist work and role of Ukrainian Jews during the period of the central rada as well as during the occupation of Ukraine by the German-Austrian troops. Among the members of the central rada there were delegates from all Jewish parties: Zionists, Bundists, "obiedinentsy" (fusionists), Poale-Zion, Volkspartei. None of these delegates ever urged Ukraine to adopt the Bolshevist régime. Quite the contrary, all the Jewish delegates expressed themselves in favor of convoking an Ukrainian constituent assembly based on genuine parliamentarism.

The Soviet Government had abolished "bourgeois" courts and replaced them with revolutionary tribunals; but the Ukrainian central rada preserved the old Russian system of judicial procedure and established a supreme court of cassation (final appeal) for the entire territory of Ukraine. To this court the central rada had, in the first place, elected by secret vote those members of the Kiev Chamber of Justice (Court of Appeals) who, in Shcheglovitov's time, had had the courage to protest against the illegalities and frauds in the Beiliss case.

Among those elected to this supreme court was also one Jew. In addition to this, the Ukrainian Department of Justice appointed two Jews: a member of the court of appeals and a justice of the peace,

Under the law of the central rada as to personal-national autonomy, there were established three ministries for the affairs of national minorities in Ukraine—the Great-Russian, the Jewish and the Polish. The Minister of Jewish Affairs worked in complete solidarity with the Ukrainian Government of the central rada.

In May, 1918, after the German Command had dissolved the central rada, there was formed Hetman Skoropadski's government, which was not only anti-Bolshevist, but openly bourgeois. Among those constituting this government there was also a Jew, the Minister of Commerce and Industry.

During the first Kiev period of the Ukrainian Directory (beginning January, 1919) two Jews were called in to become members of the government as associate ministers—of Foreign Affairs and of Commerce. Finally, several Jews were appointed members of the Ukrainian diplomatic missions which went abroad on responsible missions, in the beginning of 1919, to uphold the national demands of the Ukrainian people before the states of Western Europe and of America. These demands were in complete harmony with the democratic principles of self-determination of peoples and of parliamentarism.

Still greater was the enthusiasm at first evinced by the Jews for the anti-Bolshevik endeavors of Kolchak, Denikin and Yudenitch. An enormous number of Jewish volunteers enlisted in Kolchak's and Denikin's armies. Many Jews helped the cause of the White generals also in the civil administration. Yudenitch's enterprise was supported to a great extent by Jews. Among the members of

Yudenitch's government there was a Jew (Margulies).

Only later on, when the true colors of the volunteer armies and their leaders had been brought to light, when the Denikin High Command began to expel Jewish officers from the army, and when waves of appalling anti-Jewish pogroms had rolled over Ukraine—did the ardor of the Jews in their active campaign against the Soviets cool off.

By February, 1919, the Bolsheviki had established their nominal mastery over Ukraine. Instead of Kiev, Kharkov was proclaimed the capital, being nearer the borders of Great Russia. And although Kiev had fallen into the hands of anti-Bolshevist armies twice, the victories over the Soviet forces proved ephemeral on both occasions, and the temporary victors were obliged to withdraw precipitately beyond the borders of Ukraine.

The Ukrainian peasants are implacable foes of the Bolsheviki. One must not forget that in Ukraine there never had existed communal agriculture (the so-called *mir*), hence, in contrast with the peasants of Great Russia, the Ukrainian peasant has ever been a staunch supporter of private property.

All that the Bolsheviki got from the Ukrainian peasants—grain, cattle,—they took by force of arms. In general, the authority of the Soviet Government in Ukraine has gained a firm footing only in towns and places situated in the vicinity of the railways.

In nearly all the towns of Ukraine the Jews constitute a considerable part, and in many cases a

majority, of the population. The principal occupation of these more than three million Jews had been commerce.[1] And yet, after the arrival of the Bolsheviki—free commerce was prohibited. In general, living conditions in the towns, under the Soviet régime during the period described, were such as to preclude all possibility of existence for those city inhabitants who would not or could not get into one or another Soviet institution as employees.

There remained the choice of fleeing abroad, or starving, or submitting and seeking employment with the Bolsheviki, the masters of the situation.

To get out beyond the limits of Soviet jurisdiction was a very difficult task. But if flight was accompanied by great risk of life in the case of any city inhabitant, moving about in Ukraine was especially dangerous for Jews. The heinous calumny as to all Jews being Bolsheviki had already achieved the object aimed at by the Black-Hundreds and reactionaries of "all the Russias." The peasants believed this calumny.

To be sure, the better elements of peasantry did not draw, from this belief, the conclusion that all Jews must be massacred. . . . But in the eyes of every irregular band formed for guerilla warfare against the Bolsheviki, the Jews were outside the law. For them it was particularly convenient to give credence to various legends about the brutalities of the Bolshevik Jews, legends in which reality was represented magnified a hundredfold. This was a decent motive, an excuse in their own eyes for

[1] Only about two-thirds of the Jews of Ukraine live at the present time under Soviet rule; the others live in the Ukrainian territories that are now under Polish and Roumanian occupation.

robbing the Jews, and for all manner of outrages, down to inflicting tortures and murder.

But aside from these bands, encounters with disintegrated parts of the regular Ukrainian army proved also very dangerous for the Jews. And most terrible of all were the soldiers of the Denikin army.

His Semitic appearance or accent betrayed nearly every Jew. He could not, as did a landowner or intellectual Christian, move incognito on foot through the country, away from railroads and cities, in the garb of peasant or workingman—while in the cities and trains the Bolshevist authorities kept a sharp lookout for "bourgeois" fugitives. . . . True, nearly all these "watchmen" were eager to be bribed. But there were too many of them on the way—and hence this method of locomotion was too risky and within the reach of very few.

Thus the Jewish population of the cities of Ukraine faced a dilemma: death through starvation, or employment in some Soviet institution. No wonder that the unfortunate Jews rushed into the ranks of Soviet employees; and, as long as free commerce was prohibited, the majority of clerks in Soviet institutions, in some of the cities of Ukraine, were Jews.

As to the direct causal connection between these two phenomena there can be no doubt whatever. No sooner had the Soviet Government restored freedom of commerce than the Jews began, *en masse,* to quit service in Soviet institutions, only to return again when the new economic policy was temporarily abandoned. The same cat-and-mouse

play was repeated twice, and may be repeated again.

It is clear that the majority of these Jewish Bolsheviki were Bolsheviki by compulsion, to save themselves and their families from hunger and cold.

Nevertheless, there were, and still are, a good many Jews who have taken an active part in the Bolshevik administration and are guilty of many sins and transgressions against their fellow-beings. . . . There have been Jews even among the villains and executioners of the *chrezvychaika* ("cheka").

A considerable portion of Jewish youths proved to be unequal to their duties as citizens in general, and Jews in particular, in the days of anarchy and usurpation of power by the oppressors. Of the causes of this sad fact we shall speak in the next section.

## IV

All the nationalities of the former Russian Empire, including its Jewish population, were the natural product of the régime in which they had been brought up. All of us had erred grievously when we imagined that, with the fall of the slave-owners and their system, the slaves would at once turn into true citizens. The institution of slavery corrupts both sides in an equal degree.

Jewish disabilities in the Russian Empire were the cause of the Jewish youths growing up amid abnormal conditions, in the congestion and the choking atmosphere of the "pale of settlement." In the majority of cases these youths' thirst of knowledge and enlightenment was quenched by reading demagogic pamphlets, in which the future Socialist para-

dise was pictured. The percentage norm in the schools led to rivalry among Jewish children even at a tender age, at the threshold of the "Gymnasia;" "sport" of this nature could hardly exert a beneficent influence on young souls. After that, one was confronted with "protection" (pull), at times —with bribery. . . . To the Jews, the "people of the book," all means seemed acceptable in order to get into an educational institution. And yet, what a mark remained in the soul of a boy who knew that he had been admitted, thanks to protection (pull), whereas the sons of his neighbors had not been admitted, though they had passed the examination better than, or as well as, he. . . . The difficulty of attaining a social position, distinctions, higher posts both in civic and military service, developed a morbid self-love, and, parallel with it, a morbid ambition and self-conceit within those few who succeeded in gaining prominence, all the obstacles to the contrary notwithstanding.

To all of which one must add the general background of the cheerless, hard struggle for a beggarly existence on the part of the Jewish masses, huddled together in the squalid, dusty, small towns and hamlets of the "pale," and the injustice and extortion on the part of the police as well.

No wonder that, amid such surroundings, a part of the Jewish youths leaned towards maximalism in all domains of life, in questions social and national. No wonder that among the Bolshevik commissars of the cities and small towns of the former "pale," with a predominating Jewish population, there turned up rather many Jews. Yesterday's stepsons of fate, these citizens of "the third rank" were en-

abled for the first time to dominate those who had but yesterday made sport of them.

Such was the psychology of the embittered, unpoised and half-educated Jewish young men.

But by the side of these there were also fanatics of the social revolution and of the dictatorship of the proletariat. These folks sincerely believed in the possibility of an immediate transition from the most backward régime, in Europe, of Russian absolutism to a Socialistic republic. And that unprecedented miracle was to come about in a country where 70 per cent of the population dwelt in darkness and ignorance, did not even know how to read!

For the sake of bringing this Utopian plan into realization, youthful hotheads were willing to reconcile themselves to terror as a means of "curbing" the bourgeoisie, as well as to connive at the misdoings of the *chrezvychaika* (the "cheka," the extraordinary police and prison system).

Both of these categories, the adventurers and people of criminal inclinations, who sought power and easy profiteering, and the fanatics, were to be found not only in the ranks of the Jews, but among all the peoples of the former Russian Empire. Suffice it to recall that countless numbers of Latvians enlisted in the Bolshevist army.

In any event, one must not forget that all these Jewish commissars were by no means representatives of the Jewish population. They were appointees of the Moscow Soviet power. The body of Jews had not elected nor invested them with plenipotentiary power.

The mature and sensible Jewish elements experienced, and still experience, a feeling of revulsion, if

for nought but the mere presence of Jews in responsible Bolshevik posts. On the other hand, even among the Jewish youths the anti-Bolshevik elements have been, and are, by far more numerous than the Bolsheviki. The Bolshevik Uritski, a Jew, was slain by the student Kanegisser, a Jew. Again, it was a Jewess, Dora Kaplan, who made the attempt on Lenin's life.

It is difficult, and even impossible, to collect at the present time accurate and exhaustive data with regard to the war on Bolshevism which the Jews waged in Petrograd, in Moscow and in Ukraine. In times to come, when normal conditions of locomotion, guarantees of safety of person, freedom of speech and press have been established in Russia and Ukraine, it will become possible to interrogate eye-witnesses and investigate everything that has to do with the participation of the Jews in the open and the secret fight against Bolshevism. Then, too, will it be possible to make an accurate estimate of the number of Jews who have fallen victims and lost their lives in this fight against the tyranny and terror of the Bolsheviki.

The trial of the Socialist-Revolutionists in Moscow in the summer of 1922 attracted the attention of all civilized mankind. The number of Jews tried in this case has offered one more clear confirmation of the truth that among the active foes of Bolshevism the number of Jews is very considerable.

But, in the fight against Bolshevism, the most eloquent and palpable proof is given by the tremendous part that has been played thus far by the several hundred thousand Jews who have managed to escape from the Soviet Republics and live at present

in Germany, Austria, France, as well as England and the United States.

Well-nigh all of the flower of Jewish intellectuals is to be found in the ranks of these "involuntary emigrants." The majority of the most prominent leaders of the Jews have succeeded in getting across the borders. The greatest number of emigrants from Russia—both Gentiles and Jews—is at present to be found in Berlin and Paris. The two most important and most widely read Russian dailies, *Rul* (The Helm) and *Dni* (Days), wage bitter war against Bolshevism. Joseph Hessen, a Jew, is at the head of *Rul. Golos Rossii,* which appeared in Berlin before the *Dni* was published, had had, for a long time, Poliakov and Niemanov, Jews both of them, as its editors. The overwhelming majority of contributors on the staffs of these papers are Jews.

The other two prominent and most authoritative Russian dailies are published in Paris. One of them, *Posliednia Novosti* (Latest News), was founded and edited by a Jew, Goldstein, a lawyer of Petrograd. Subsequently, Miliukov became editor of the paper. But many of the contributors of the paper are Jews. At the head of the other daily, *Obshcheie Dielo* (The Common Cause), was Burtsev. But among its contributors were Sliozberg, Pasmannik and many other Jews.

*Volia Rossii* (The Will of Russia), the organ of the Russian Socialist-Revolutionists, is published in Prague. In Paris, *Sovremennia Zapiski* (Contemporary Memoirs), a Russian monthly magazine, is published in the Russian language. Among the contributors to the daily and the magazine referred

to are a great many Jews: Minor, Bunakov, Vishniak, Landau-Aldanov and others.

The most striking book against Bolshevism, published recently in Berlin ("Das Wesen des Sowietstaates," Berlin, 1921), came from the pen of Professor A. Kulischer, a Jew. The famous German Social-Democrat, Eduard Bernstein, maintains that in the entire critical literature dealing with the question of Bolshevism there is nothing more powerful or convincing than this book.

In Paris there was published during the past few years, both in the French language and the Russian, a special Jewish organ bitterly opposed to Bolshevism—*Tribune Juive* (formerly edited by Dr. R. Blank, later by S. Pozner).

The facts quoted do not by far exhaust the list of all that the emigrant Jews are doing abroad in the field of anti-Bolshevist campaigning in the press. Especially valuable was the work done by Dr. R. Blank in Western Europe. His articles and reports have contributed greatly to the demolition of the myth about the participation of Jews in the assassination of Nicholas II. In the struggle against Bolshevism, in the press abroad, the Jews have accomplished infinitely more than the Gentile emigrés from all ends of the former Russian Empire.

Of especial interest to American Jews is the data regarding the part played by Jews in the anti-Bolshevist movement in the United States. It is sufficient to mention that, during the five years between May, 1917, and June, 1922, the whole task of exposing the horrifying conditions in Russia under Bolshevism, as well as of making clear the position of

Russian democracy in the fight against Bolshevism, had devolved upon a Russian Jew, A. J. Sack, who had been appointed to the post of Director of the Russian Information Bureau in the United States by the Provisional Government. A. J. Sack's labors in this direction had the active, moral support of the leaders of American Jewry.

The late Jacob H. Schiff, Louis Marshall and Oscar Straus were members of the Board of Honorary Advisers of the Russian Information Bureau.

For a year and a half, between March, 1919, and July, 1920, A. J. Sack was editor of *Struggling Russia,* an American magazine specially devoted to the anti-Bolshevist struggle in Russia. In that magazine, along with articles by the most prominent active Russian democratic workers, Catherine Breshkovskaya ("The Little Grandmother"), Miliukov, Kerenski, Zenzinov and others, there also appeared articles written by the Jews Vinaver, Vishniak, Dioneo-Shklovski and others. In the special American number of *Struggling Russia* there were printed articles by the late Mr. Schiff and by Rabbi Stephen S. Wise, along with articles by most prominent statesmen and public leaders of the United States.

The late Mr. Schiff wrote: "Let me congratulate you upon what you have accomplished in the face of constant attack and vituperation on the part of the various elements who appear to consider the existing state of anarchy and disorder in Russia a healthy condition, which they desire to become permanently established not only in Russia, but similarly all over the world.

"It is, to the contrary, evident that if we do not come to the aid of the elements of Russia who so heroically battle to subdue the forces of disorder and anarchy, who for the time have constituted themselves the Russian government, and make it possible that, instead of this, a truly democratic government which alone can become the salvation of Russia, be established, the present régime, which cannot possibly remain permanently, will surely be followed by reactionary rule, most likely as undesirable as that of the Romanov's was, whose autocracy brought such misery and suffering upon the Russian people."

In the same number of *Struggling Russia* Rabbi Wise wrote: "To me Lenin and Trotsky are no less odious than Tsar or Kaiser. A Tsar is intolerable not because he is more or less cruel, but because he is a Tsar. The Lenin-Trotsky régime spells ruthless despotism; therefore to me it is loathsome and intolerable."

After the Russian Information Bureau was closed, in June, 1922, Mr. Louis Marshall wrote to Mr. Sack: "What you have done to explain the status of the Russian Jews, to demolish the gross libels that have been circulated concerning them, to explain that there is no relation between Judaism and Bolshevism, to show that anti-Semitism is the handmaid of autocracy and reaction, has above all deserved the appreciation and the gratitude of every fair-minded person.

"I sincerely hope that your cherished hopes for the regeneration of Russia and for the overthrow of the twin tyrannies, Tsarism and Bolshevism, may soon be realized, so that your great country and her

great people may enjoy the blessings of liberty regulated by a sound and just constitution and of lasting peace and happiness."

At the same time Hon. Oscar S. Straus wrote to Mr. Sack: "The people in both countries owe you a debt of gratitude for your patriotic labors by word and pen. There have been many who have striven by nefarious propaganda and false information to misguide public opinion in the interests of Tsarist and militarist Russia or destructive Sovietism—these enemies of both countries you have consistently exposed and successfully refuted. . . .

"In the line of your praiseworthy endeavor you have likewise rendered great service to the Jews of Russia, upon whom the evil propagandists have sought to cast by forged documents and false accusations the burden of Russia's miseries."

## V

The anti-Semites and the reactionaries of all lands compute, with special zeal, the number of Jews who are Bolshevist commissars. Often pure-blooded Christians are entered on that list. There was even a time when Lenin was proclaimed to be a Jew. . . .

But Bolshevism is a temporary, transient phenomenon. The true role played by the Jews in the so-called "liberating movement" has manifested itself in the creative work done by the Jewish intellectuals in the Russian Empire through the course of many decades, beginning with the sixties of the 19th century and down to the revolution of 1917.

In the Russia of the Tsars, the very word "consti-

tution" was forbidden. Even moderately-liberal views, let alone the Socialist creed, led to deportation to Siberia—at best.

The future historian will compile a complete list of Jews who have suffered in the fight against Russian absolutism. Many, very many Jews have spent the best years of their lives in remote parts of barren and bleak Siberia, in penal servitude and in prisons.

Those among them whose lot it was to survive until our own days accepted the revolution of 1917 with joy; yet very few of them, a negligible number, accepted present-day Russian Bolshevism. They are true Socialists, ready to die for their ideas. They were interested in the true welfare of the people, not in gaining power. And they repudiated the Russian Bolsheviki, who had resurrected and introduced into every-day practice the old motto of the Jesuits: "The end justifies the means. . . ."

In the fight against Russian absolutism the printed word was a powerful and effective weapon. Illegal literature, printed underground, had a limited circle of readers; its circulation involved great risks. On the other hand, the lawful press was cramped within the sternest Draconic limitations of Russian censorship. In all large centres of the Russian Empire, along with the purely governmental organs, there sprang up great semi-official dailies which championed Russian absolutism and waged cruel war against a constitution and democratic ideas. In the eighties, *Novoie Vremia* (New Times, Petrograd), *Moskovskia Viedomosti* (The Moscow Gazette) and *Kievlianin* (The Kievian) had already a large circle of readers. The re-

actionary tendencies of these newspapers created new forces of Russian reaction and poisoned the growing generation of Russian officialdom and large landed proprietors—those real masters of the former Russian Empire.

The great historical service and honor of creating the first prominent liberal organs, to counteract the reactionary newspapers, belong to Jews. The founder and editor of the daily *Novosti* (News, Petrograd) was a Jew, Osip Notovich. Parallel with the *Novosti,* the famous ethnographer and jurist, Michael Kulischer, began publishing in Kiev (in the eighties) the best provincial daily of that time, *Zaria* (The Dawn).

Great self-sacrifice, civic courage and skill were required for so thankless an enterprise as the publication of a democratic organ in Russia in the eighties, with her censorship and all arbitrary powers concentrated in the hands of the almighty administrative authority, to be used against His Majesty's subjects entertaining audacious, liberal and democratic opinions.

The creation of a liberal press in Odessa had also been, to a considerable degree, the work of Jews. Suffice it to mention *Odesskia Novosti* (Odessa News), the popular and widely read organ of the Odessa democracy.

On the staffs of all the progressive dailies and magazines published in the Russian Empire during the last decades, there always have been a large number of Jewish contributors.

*Riech* (Speech), the organ of the liberal-bourgeois Constitutional-Democratic Party (the Ca-

dets), which appeared for the first time in Petrograd during the First Russian Revolution (1905-06), was founded principally through the energy and co-operation of a Jew, the late engineer Julian Bak. On the whole, the importance of the Jewish intellectuals in the work of creating a Russian democratic press was quite considerable.

Despite all the severities of the Russian censorship and the eagle-eyed vigilance of the administrative authorities, the free printed word found its way into the pages of the magazines and the daily Russian press, even though the editors and contributors had to strain their wits in search of various roundabout ways and often had to speak the language of Aesop. . . .

Free thought, like a fresh spring breeze, penetrated all crevices in the old and musty wall of Russia stagnating for centuries in darkness and ignorance, the wall by which the rulers of Russia tried to partition off the vastest empire from the culture and civilization of Western Europe.

On the other hand, the spoken word was under an absolute and complete ban. The Russian Empire had known neither freedom of assemblage nor freedom of speech up to the very manifesto of October 17, 1905.

The only platform from which it was possible to *speak* of the principles of justice, fraternity and equality among men was that of the new court institutions created by the reforms of Alexander II (1855-1881). The public listened eagerly to the pleading of the defenders and gladly attended court-sittings. The bar became the freest and most independent profession in the land. Many Jews

enlisted in its ranks. And even though subsequently (under Alexander III and Nicholas II) the admission of Jews to the bar was greatly limited and, for some time, denied altogether, the Jews won a very prominent and honorable position in the Russian bar, in its struggle against injustice and arbitrariness, and in its creative labors for genuine equity.

In the first brilliant cluster of Russian jurists, the most prominent civil lawyer was a Jew, the late Passover, known as a fearless champion of the law. One of the most prominent leaders in the field of criminal jurisprudence was a Jew, the late Kupernik, who appeared in great political trials. In the same period may also be placed their younger contemporaries, the late A. Goldenweiser, of Kiev, and the late G. Blumenfeld, of Odessa, prominent jurists and enlightened champions of democracy and humanity.

The few Jews who had succeeded in entering the ranks of Russian magistrates during the brief period of "liberal tendencies"—in the sixties—won the reputation of being the fairest and most impartial active workers on the bench. It is enough to refer to the late Y. Halpern, subsequently departmental vice-director at the Ministry of Justice, and J. Teitel, member of the Saratov Circuit Court—that noble and popular initiator and supporter of every humane and charitable endeavor.

The revolution of 1905 once more flung the doors of the Russian bar wide open to the Jews. During 1906 were registered in this profession all those "disabled" Jewish "junior lawyers" (on probation), who had awaited registration during the

many years of Russian reaction under Alexander III and Nicholas II.

Many of these probationaries (Vinaver, Sliozberg, Gruzenberg and others) had long enjoyed a well-earned reputation of being prominent authorities on law and indefatigable fighters against the iniquity and arbitrariness of the Tsarist régime. Several of them were destined to play an important political role in subsequent events.

Sliozberg's name was closely connected with the defense of the Jewish people's interests in the courts of the Russian Empire. Sliozberg was publisher and editor (1903-05) of the best Russian law journal (monthly)—*Viestnik Prava* (The Law Messenger). In the Russian Empire there was no Jewish public institution in which Sliozberg did not take an interest. But his chief charm lies in his being broad-minded towards the convictions of others, his boundless love for his fellow-beings, and his invariable readiness to relieve the wants and sorrows of whoever turns to him.

In his political views Sliozberg is a representative of the moderate liberal elements of the Jewish population of the former Russian Empire and approaches in his program the Constitutional Democrats. For a long time the Bolsheviki hounded and kept him in prison. After long privations and tribulations he escaped from the Soviet Republic and lives at present in Paris.

Vinaver is justly reputed to be one of the highest authorities on civil law in the Russian Empire. When the Cadet party was formed he became one of its leaders and associate president of its central committee. Having been elected as one of the six

deputies from the City of Petrograd to the First Imperial Duma, he became the *de facto* leader of the Jews in the parliamentary group of the First Duma. Along with defending the interests of the Jewish nation, Vinaver delivered in the Imperial Duma elaborate program speeches on the question of reconstructing the Russian Empire on democratic foundations.

The other leader of the Cadet party, the Jew, Herzenstein, was looked upon in the First Imperial Duma, as well as in the whole empire, as one of the most profound authorities on the agrarian question.

As a signatory to the Viborg Manifesto after the dispersion of the First Imperial Duma, Vinaver was sentenced to imprisonment and deprived of the right of suffrage. But even so he kept up the fight for democratic principles in the Russian Empire. Simultaneously, Vinaver combated the extreme left tendencies among the Jews. He was elected to the Russian Constituent Assembly, whose hours were cut short by Soviet bayonetocracy. . . . After that he participated in the anti-Bolshevik government of the Crimea. Subsequently the authority of Denikin's government was extended also over the Crimea. Denikin's place was occupied by Wrangel; Wrangel's by the Bolsheviki. After a short sojourn in the Crimea, Vinaver went to Paris, where he has been working to this day, together with his followers among the emigrés, awaiting brighter days.

An especially onerous and difficult task fell to the lot of the so-called "political lawyers." In the wake of the revolution of 1905-06 came gloomy reaction. Persecutions were started against all those who had

fought autocracy. In connection with the infinite number of political, peasant and pogrom trials in all prominent centres, there were formed special groups of "political lawyers." With utter self-abnegation, they journeyed all over the empire, spent days and nights in railway cars and dirty hotels at out-of-the-way places, loudly and fearlessly lifting up their voices in defense of those who had fought for the triumph of democracy.

The most popular among the numerous Jewish "political lawyers" of this period of gloomy Russian reaction are the names of Gruzenberg, Kalmanovich, Goldstein, the late Pergament, Bramson, Margulies, Michael Mandelstam, E. Kulischer, Wolkenstein and many, many others.

Especially famous became Gruzenberg, that fiery pleader and acknowledged authority on the criminal cassation practice of the Senate (Supreme Court). The name of Gruzenberg, counsel for Blondes and Beiliss, is well-known to every literate Jew. He appeared in all the most important political and press cases.

In the present chapter have been mentioned the names of the best-known Jews from among the Tsar's former subjects who, in print and by word of mouth, had served the cause of emancipating the countless millions of the Russian Empire. Some of them, like Herzenstein and Yoloss, lost their lives, being struck down by the cowardly hands of the Russian Black Hundred organizations.

But there are thousands and possibly tens of thousands of Jews who devoted all their strength to the cause of preserving the legacies of democracy.

## CHAPTER II

### JEWISH POLITICAL PARTIES IN RUSSIA AND UKRAINE

THE Kishinev Pogrom (1903) opens a new historical period for the Jews in the former Russian Empire. Their trust in a safe existence in the empire shattered, large numbers of Jews began to emigrate. But the vast majority was forced, or chose, to remain. Then became apparent, particularly among the Jewish youth, the power of the national consciousness born of persecution. They surged enthusiastically into the Zionist organization, the Bund and other Jewish national parties which now emerged.

At the Helsingfors Congress, the Russian Zionist organization came out as a political party of the Russian Empire. Thereafter, the Zionist Party begins to take an active part in the political events of Russia. It nominates candidates for the Imperial Duma, for the city councils, etc. This colossal blunder was destined to pervert the fundamental concepts of the political parties. A split soon occurred in the parent organization, and the Poale-Zion was born. No homogeneity, however, was thereby restored to the older party, the members differing widely on political, social and economic grounds.

The force of Jewish public opinion exerted in behalf of the idea of a national territorial center, in behalf of an autonomous state, became so over-

whelming as to render injudicious the restrictive framework of a political party. It became the voice almost of an entire people. As such, it required an universal organization for its realization.

The Bund and the other Socialist parties, thanks to their use of the Jewish [1] tongue, were able to develop an intense Socialist agitation among the Jewish proletariat. A parallel phenomenon was the growth of a national consciousness among the Jewish working classes.

But the fact of the separate existence of specifically Jewish political parties in the Russian Empire set up barriers to united endeavors and dissipated the strength which the Jews might have derived from joint action with the other nationalities.

Only a small minority of the Jews escaped being carried down by the turbulent torrent of this separatism, which diminished the chances of general cooperation of the Jews with the other peoples in the All-Russian political parties.

Unsubstantial differentiations developed in the ranks of the Jewish parties. A new party suddenly appeared, known as the Zionist Socialists. The fashionable teachings of Bauer and Springer on the Seym and on National Personal Autonomy gave the impetus to the formation of a special political party, the "Seymists," or Jewish Socialists. Although later united, the distraction and dissensions were not ended by the union of these two parties, for new parties kept springing up overnight.

The founders of the Bund visualized the Yiddish language as a powerful means for expanding the hosts of the world proletariat. This was the con-

[1] Yiddish

trolling motive for the organization of the Bund, outside of the All-Russian Socialist parties. A great elemental fact was here overlooked by the Bundists. It is, that the reciprocal relations of citizens require contacts. The proper basis, therefore, of political affiliations in every country must be territorial, and not national or racial in its nature.

The work for the fulfillment of Jewish national aspirations would be more effectively carried on by general Jewish organizations, rather than by Jewish political parties. For instance, in the controversy on the teaching of Hebrew or Yiddish in the schools, bourgeois and Socialists, although equally adherents of the one and of the other, were prevented from uniting, by reason of their separation into antagonistic political camps. The existence of organizations embracing *common Jewish ideals* promises, accordingly, greater Jewish unity and influence.

The enthusiasm for National-Personal Autonomy began to evaporate when the Seym—as a solution of the Jewish problem—was seen to be but a poor substitute for territory. The latter assumed its true proportions with the tremendous emigration which set in after Kishinev. For it permitted a well-planned concentration in unpopulated or thinly populated lands. In the decade preceding the outbreak of the World War, this flood of emigration reached an annual average of 100,000. The greater part of the immigrants went to the United States and settled in the cities.

There now remained to be found unpopulated

territories to which at least a portion of the emigrants might be diverted.

The Zionist organization confined its efforts to Palestine and rejected all other parallel territorial projects. Zionist rejection of Uganda was the direct cause for the creation of the Jewish Territorial Organization. Parallel with the aid which it extended to emigrants, the J. T. O. also conducted research work with regard to the adaptability for Jewish settlement of land in Cyrenaica, Angola, Honduras, Mesopotamia, etc. The political situation of the time was distinctly unfavorable to settlement in Palestine.

In November, 1918, however, the J. T. O. of Russia and Ukraine, at a meeting in Kiev, empowered its Central Committee to conclude an agreement with the Zionists for cooperation in facilitating Jewish emigration to Palestine. But the J. T. O. also foresaw that under the most favorable conditions the movement to Palestine could never become a large or dominant one. It therefore decided to continue its practical regulation of American immigration and its researches, coincident with the Palestine project, for Jewish autonomous centers in thinly populated countries.

Unfortunately, the burning question of territories for the Jewish emigrants remained only an academic one for most Jewish parties and groups. With meager means and resources at its disposal, the J. T. O. has been sadly cramped in its endeavors. And with the outbreak of the World War came the cessation of this highly important work.

The Russian revolution brought to the Jews equality of rights, on paper. Very soon, however,

the entire Jewish population of the former Russian Empire was made to suffer horrible pogroms and unprecedented calamities and privations.

There can be no doubt that as a result of these experiences a part of the Jewish population which is able and eager to emigrate, will leave Eastern Europe for America and Palestine within their quotas. But those who remain in Ukraine, in Poland, in Great Russia, will have to rise out of their present passivity and, according to the picturesque expression of the late Nahum Sirkin, become "participants in a new life arising out of chaos, shaking themselves free of the shackles of slavery, and creating new foundations of existence and new customs" (*Jewish Life,* Kiev, No. 17, 1918).

When Sirkin was penning these words, he could not foresee that the period of chaos was not at an end, that anarchy and a new form of slavery—Bolshevik slavery—were to be prolonged. In this blissful ignorance he died, fortunate not to have witnessed the ensuing horrors of anarchy and the pogroms.

When chaos comes to an end, when reconstruction at last begins, the thought expressed by Sirkin will be vindicated. The tireless participation of the Jew in the creative life of the peoples among whom he lives will give him the right not to regard himself a mere stranger or guest in the new state formations, but no less builder and master of these new formations than the indigenous peoples, than the majority of the population.

But for such common work in the building of the new life a more intimate relationship between the

peoples is indispensable. The Zionist organization in Russia and Ukraine to which Sirkin belonged must recognize that the mistakes of the past and present must not be repeated; that one may not withdraw into one's national shell and shirk co-operation with all the political parties, the Ukrainian, the Lithuanian, etc., and, in due time, the Great Russian. Nor may the Zionists refer to the sanction of their former policies by the Jewish population of Russia and Ukraine. At general and specifically Jewish elections of the past, the Zionists used to poll great majorities. Similarly, a majority of the peasant population voted for the program and the tactics of the Socialist-Revolutionists. But was it not clear that this was but a duty paid to revolutionary times, the result of an abnormal exalted mood of the popular masses, the result of excitement and of temporary maximalism?

Similarly, the Jewish masses voted under the spell of national maximalism. For the time being, they seemed to forget that on a par with purely Jewish national problems there were other, more general political issues, equally important to the entire population of the country.

The life of the state cannot be reduced to mere expropriation without compensation of the lands of land owners, nor to narrowly national autonomy. . . . The system of taxation, railroads, pavements and water supply in one's own town, and a multiplicity of other live issues, affect the Greek and the Jew alike, and call for a common political life, for the existence of general political *territorial* parties.

No national autonomy, however broad, can replace to the Jew his own territory, his own state.

The German, Italian and other peoples live on their own territories but also enjoy all the rights of citizenship in America and other states to which they have emigrated. The Jews also must strive to solve their historic problem in two ways: by the establishment of their own legalized abode in Palestine or in some other sparsely populated territory, in which Jews would soon be in the majority; and by the participation in all civil rights and duties of the populations of those countries in which the Jewish people of the diaspora are represented by minorities. One must follow life and banish the bold thought of tugging life along. One must free oneself from the mania of the greatness of one's own party, from the belief that one particular group or party has beheld the truth exclusively and holds it. No more than any other people, can the Jewish people have one opinion, one common judgment on all questions. Notwithstanding all that the Jews have suffered in Ukraine and in Poland, *all the Jews will not leave these countries either for America or for Palestine.* I personally belong to those who regard the Jewish immigrant in the United States as a fortunate individual, for he finds himself in an environment which is at least a century ahead of Eastern Europe in general culture and civic development. I can also sincerely envy the Jews who are paving roads under the burning sun of Palestine. And, of course, it is preferable to perish from the knife of an Arab in the land of one's ancestors rather than to fall victim to a pogrom in Ukraine or Poland.

But I repeat: all will not leave the old abodes, the

majority will not be able to, while some will be averse to breaking away.

The maximalism of the days of revolutionary orgies is being replaced by the drabness of slow and peaceful building and every-day toil. The natural law of the gravitation of minorities toward majorities as toward a magnet will overcome all the newer notions of national autonomy, which at present constitute the fetish of the Jewish youth of Eastern Europe. The *is* often conquers the *should* in daily life. In the sixties it was customary to speak in Yiddish about the necessity of assimilating and studying the *Russian* language. At Jewish gatherings in large cities (Petersburg, Kiev, Odessa) during the past fifteen years one could always hear Jews advocating in *Russian* the necessity of national rejuvenation and study of the *Jewish* language. . . . Thus the *should* and the *is* often meet at cross purposes. The point is not whether the young people are absorbing the customs and opinions of the majority, voluntarily or otherwise. In the sixties, Jewry, of its own accord, began to drink the brew of assimilation, but it could only do it by the spoonful. Later, when new watchwords had been sounded and Jewry, in a paroxism of exaltation and pride, resolved to tread the path of national rejuvenation, it began to absorb the same brew by the bucketful, without even noticing it, counter to its own will and intention.

National rejuvenation can be fully realized only on one's own territory. Jewry needs the means of self-expression; it also needs leaders who would be able to transform at least part of the immigrant hosts into citizens of the future Jewish State.

But Jewry must also find the shortest and best roads to a peaceful co-operation with other peoples in the diaspora.

The first task may just now appear in a romantic halo of national heroism, but this does not in any way detract from the vital significance of the second task. Jabotinski, who was thrown into prison by the British for organizing in Jerusalem a local militia for protection against pogroms, as well as those many Jews who atoned in Siberia for their participation in the Russian movement of liberation, served their own people, although in different ways.

The impending concrete problems of the political life of the Jews of Eastern Europe seem to me to be the following.

The "Bund" must seriously consider whether there is any further necessity for its separate existence and whether it is not time for it to merge with the General Social-Democratic parties in Russia, Ukraine, etc. For at present it is no longer proper to speak of the pioneer character of Socialistic propaganda among the Jewish proletariat and of the necessity, in view of the difficulty of the first steps, to conduct this propaganda in the Yiddish language. The modern Jewish proletariat is no less saturated with Socialism than is the proletariat of other peoples; the lessons of Bolshevism, on the other hand, have shown the reverse of the medal, which appears when Socialism is interpreted as it is by the leaders and potentates of the Soviet régime.

The party of the "Fusionists" (*obiedinentsy*) which regards the question of a "seym" and of

national autonomy as the cornerstone of its program, must also recognize that the idea of autonomy and of a "seym" are sufficiently propagandized not only among Jews, but even among some governments (Ukraine, Lithuania) and political parties of other nationalities. Is it not time for the former Zionist-Socialists as well as the former "Seymovtsy" to take thought of a territory, which, in their programs, they have relegated to the background?

As "Seymists" and territorialists, they can work toward the realization of the Jewish-national part of their program, together with numerous Jewish groups who accept the "seym" and a territory. As Socialists of various brands, on the other hand, they can join the general Socialist parties in the different countries.

As to the "Volkspartei," I had occasion as far back as 1918 in Kiev to conduct negotiations with several of its representatives about the desirability of a merger with the corresponding general political parties. At that time our discussions did not lead to positive results. But I did encounter in the "Volkspartei" a clear appreciation of the importance of the question. Some of my interlocutors agreed that in time such a merger will be desirable, on condition, however, that national factions or blocks be organized within the general parties, and that the representatives of such factions be permitted to participate in the central committees of the general parties.

The Zionist organization in Eastern Europe must become in its external structure like the Zionist organizations of Western Europe and America.

It is time to return to the days preceding Helsingfors and cease figuring as a party. Then the words of Sirkin about the participation of Jews in the general political reconstruction may yet come true. Then every Zionist will enjoy the opportunity to work for the good of Jewry in his own organization, and for that of any country of which he may be a citizen, in the ranks of the general political parties.

Again, there is need for the creation of great international Jewish organizations. Some time ago conditions demanded the launching of a "Union for the *attainment* of Jewish rights." Today, after the Peace of Versailles, after the guaranteeing of Jewish rights by international decrees, a "Union for the *realization* of Jewish rights" would be in place. In such unions and organizations all classes of Jews would find opportunities for intercommunication, independent of their belonging to one or another political party. With such a radical reconstruction of the external structure of Jewish political and national life, the all-important questions of emigration, the Jewish school, the language of instruction and a multiplicity of other questions pertaining to the daily lives of Jewry in the diaspora, would find a complete and most comprehensive solution.

As to the inner essence of that national sovereignty which is read into the institution of national autonomy, some postulates underlying the institution must be subjected to a searching and thoughtful analysis. There is, for example, a glaring contradiction in the simultaneous demand that certain amounts of the general state funds be expended on Jewish schools and for other educational

purposes, and the insistence on an obligatory self-imposed taxation for the same purposes. It must not be forgotten that the state treasury, in handing over sums to the Jews in amounts proportionate to the Jewish population, will only return to the Jews what they themselves have contributed for education in the form of a part of the state taxes. Thus there results a double taxation for the same purpose. Will the taxpayers agree to carry such a double burden?

In addition to the above instance, there are still other questions connected with the institution of national autonomy, but these may be passed by for the present.

There is, finally, need for a radical change in the psychology of Jewry as regards mutual interrelations. War must be waged against that intolerance of separate parties, groups and persons which weakens and disrupts the Jewry of Eastern Europe. Let Vinaver, Sliozberg and even the Zionist Pasmannik, fight the separatism of the "outskirts of Russia." One must learn to respect not only one's own opinion but also that of others. Let those Jews who believe in the rebirth of a unified Russia, merge their efforts with the activities of the best representatives of these aspirations, the Cadets, the Russian Socialist-Revolutionists, etc. . . . But those who think and believe differently have the right to expect an equally calm and objective attitude. It would be a great misfortune if all Jewry were to think and feel in one uniform way. Then we would no longer be a people, but a party.

Mutual tolerance alone can cement the bonds of the whole of Jewry. The Jewish people has a

sufficient number of its own problems which may serve to unify the adherents of an integral Russia, the federalists and the separatists. The Ukrainian or the Georgian people do not split over the attitudes of Ukrainians or Georgians to Zionism or territorialism. Neither should Jewry be permitted to become divided against itself over differing attitudes toward the new map of Europe.

A feeling of great mutual tolerance, unity among Jews, and a parallel intimate co-operation with the peoples among whom the Jews dwell—such are the watchwords for the future development of the whole of Jewry. And if at the present moment my voice, my call toward this goal, sounds isolated, the time will come when it will evoke an echo in the soul of the Jewish people.

# CHAPTER III

## BABEL'S TOWER IN EASTERN EUROPE

THE Biblical legend about the Tower of Babel has instructive significance for the present day. Eastern Europe today is a veritable Babel. People living within the boundaries of the same country, under the rule of the same government, are subject to conditions of wildest confusion because they lack the common ground for mutual understanding and a common language.

The mutual understanding which is required of individuals in order to promote harmonious personal relationships, is also a prime requisite for harmonious relationship among political parties and nationalities living in the same country.

While Jews were living in a secluded ghetto, taking no part in the political life of the country, they were regarded by their Christian neighbors not as citizens, but as a separate religious group engaged in the humiliating occupation of trading. Social and political relationship between Jews and their Christian neighbors began only at the end of the feudal system in Western Europe and with the inauguration of the constitutional form of government. The enlightened Christians tried to eradicate the existing prejudices against the Jews, and the latter began to leave their ghettos and to come into contact with their neighbors. They entered the social and the public life of the country, they availed

themselves of the educational opportunities, within the restrictions imposed upon them, and conformed to the customs of the land.

Today the Jews of Western Europe, like the Jews of America, possess the full privilege of citizenship and are discharging all the obligations incidental to this privilege. They go to the polls during the elections not as *Jews,* but as *citizens,* and there are no special candidates put forth by Jewish political parties.

Entirely different is the development of the political and national life of the Jews in Eastern Europe.

The emancipation of the Jews in the former Russian Empire and in Rumania came about much later than in the Western countries. Prior to the sixties of the last century, the East European Jews, with rare exceptions, remained within the walls of their ghettos and avoided any contact with the customs and the culture of their Christian surroundings. It was only after the emancipation of the peasants that a change took place. The general Russian liberal movement took life and the young Jewish generation threw itself enthusiastically into its ranks. Jewish young men eagerly seized the opportunity to enter Russian schools and universities. The idea of full assimilation with Russian culture captured the imagination of a significant part of the Jewish youth. The Jewish students worked hand in hand with their Christian colleagues in the historic struggle for the liberation of the Russian people from its despotic rulers. Many of them sacrificed their lives for the sake of a free and democratic Russia.

A new chapter in the life of the Jews of Eastern Europe began in the eighties of the last century. The reign of Alexander III with its "temporary restrictive laws," was an era of persecution for the Jews of the Russian Empire. As a result, there began an extensive emigration of Jews from Russia to America. The Palestine movement gained strength and the Jewish national spirit was awakened. The bloody Kishinev pogrom (1903) and the subsequent pogroms in Gomel, Smela, etc., served to intensify this movement. The regeneration of the Jewish national consciousness coincided with the birth of national aspirations on the part of other oppressed peoples in both the Russian and the Austrian Empires. Like the Poles, Czecho-Slovaks, Ukrainians, and others, the Jews proclaimed themselves a *nation,* albeit without a land.

The difference, however, between the Jews and other nationalities lay in this important fact. While the other nationalities constituted a majority of the population in one territory or another, the Jews were a minority in every land. (This, of course, excludes many cities in Eastern Europe where the Jews constituted a majority of the inhabitants). To meet this difficulty, the Jewish nationalists put forth the demand for the so-called *personal* national autonomy, the invention of Bauer and Springer, Austrian Socialists, as a substitute for the *territorial* autonomy which the majority nationalities of Poland, Ukraine, Bohemia, and Lithuania demanded.

It is not necessary here to dwell in detail on the question of personal-national autonomy. This new institution is but an inadequate substitute for a

homeland, which is the only healthy foundation for the normal life and development of a nation. The personal-national autonomy affords, nevertheless, clearly expressed guarantees to the national minorities. The very existence of such *autonomy* proves that every national minority is *autonomous* in dealing with its own purely national problems. The discussion and solution of these purely national problems must be confined to *special national "seyms,"* and not brought into the general parliament of the country. These *seyms* should be the agency through which the national minorities defend their constitutional rights before the general legislative body.

We will now examine the effects upon the Jews of Eastern Europe, brought about as a result of the appearance in the internal life of the Jews, of separate *political parties,* viz., Zionist, Bund, Seymist, Volkspartei, etc., and the question of the proportional system of elections.

In Western Europe and in America, the Zionists do not pretend to be a French, German, or American political party. They have a clear understanding of their objects as Zionists. Zionism is a purely Jewish national movement, which finds expression in Zionist *organizations.* But every Zionist, as long as he remains away from Palestine, is a citizen of the country where he lives. He has not only the rights but also the duties of citizenship. He would not understand the needs of his country, the spirit and aspirations of the whole population, were he to have no political and social contact with his non-Jewish neighbors.

Happy are the countries with only two or three

political parties. The old Russian Empire could not possibly exist with its dozens of political parties, and with separate parties for each of the many nations comprising the population. That was the Tower of Babel. . . . Each party lived for itself and its members were often uninformed and totally ignorant of events occurring nearby, affecting another party representing another nationality.

The Jews in Eastern Europe, emulating their neighbors, set up their own *parties*—Zionist, Bund, Volkspartei,—as separate political parties, which was an historical mistake. Without doubt, the Jews need special *organizations* for the solution of purely national questions, such as Palestine, emigration and immigration, religion, culture, etc., but politically they are an integral part of their native country, and must act in accordance with that fact.

The very existence of separate Jewish political parties created a gulf between them and the other peoples, and, instead of closer political relationship, there resulted complete isolation and mutual distrust.

Another factor which helped to widen this dangerous split between Jew and Christian in Eastern Europe was the system of proportional elections, which was used in the elections to the All-Russian Constituent Assembly and in local elections in the former Russian Empire. In Ukraine, for instance, every election district consisting of a *gubernia* of three or four millions of people had to elect from ten to twenty deputies to the All-Russian Assembly. Each party printed a list of its candidates. In fact, every group of one hundred people or more

could make up and print a list of its own. Such lists were then automatically sent to each voter by the official board of elections. There were in every district not less than ten lists of the Ukrainian and Russian parties, two or three lists from the Polish parties, and four or five lists from the Jewish parties. Imagine the bewilderment of the peasants upon receiving all of these lists, each of which contained from ten to twenty names. . . . Generally, the large majority of these names were unknown to the peasants, and confusion was worse confounded when the peasant beheld the Polish and the Jewish lists, printed in Polish and in Yiddish. It seemed rather strange to him to be asked to vote for the Bund and the Poale-Zion, and in a language which he could not read!

The nationalistic fever was then at its highest point and every nationality in Eastern Europe demanded the maximum. The Jews, too, despite being a minority everywhere, were not content with representation on the general lists. Every Jewish party had to have its *own* list. And this was true not only in districts where the Jewish population was sufficiently numerous to warrant an independent list, but also in districts where the number of Jews was so insignificant that none of the Jewish parties could ever hope to elect even a single deputy.

The damaging results of the system of proportional elections in a country with a variety of people were evident everywhere. One can imagine the impression created by a newspaper headline such as this: "The Struggle between Jewish and Christian Lists." From this it would appear that the elections to Parliament or municipal bodies were purely a

nationalistic struggle between Russians, Poles, Jews, Ukrainians, or Lithuanians. Normal legislative bodies are not the battle-grounds for conflicting national and racial interests. They are the representative bodies of the entire citizenship of a country without regard to the racial and religious affiliations of the people constituting that citizenship. The rights of all the nationalities living in a given country must be guaranteed by the constitution. The parliament of the country should thereafter have nothing to do with them. The national autonomy, which is granted to minorities, gives them sufficient latitude for solving their own national, religious and cultural problems within their own organizations or congresses.

The staunchest of Zionists or Territorialists do not believe in the possibility of removing all Jews to Palestine or to any other place. It is evident that there will always remain large numbers of Jews in the countries of the diaspora. In view of this fact, the Jews of Eastern Europe must find the solution of their duality as Jews and citizens in a synthesis of their duties to their own people and to the country where they live. As to the latter, they must conduct their political activities through the general *territoral* political parties of the land, together with the citizens of the other races or faiths, just as the Jews of Western Europe and America do.

Closer political contact on the part of the Jews with the non-Jewish population will serve to dispel the numerous prejudices against the Jews, which are harbored by even the best elements among the Christians in Eastern Europe. The political Ghetto is much more dangerous than the religious Ghetto

or the social Ghetto. The Jews, especially, are exposed to danger, because they are today a nation without a land and without a government to protect them in the countries of their dispersion.

The point of view which I have here developed concerning the structure of the political life of the Jews in the diaspora and the proportional system of elections, is opposed to the opinions of the majority of Eastern European Jews, as well as to the present Jewish political currents in Eastern Europe. What are the arguments presented in favor of the existence of separate Jewish political parties? Let me analyze the two most important of them.

The first argument has been that it is easier to familiarize the masses with the program of the party if the latter speaks to them in their native language. This view was put forth especially by the *Bund*. The answer to that is that the same result could be obtained by the organization of national *factions* within the ranks of the general (territorial) political parties. There could be, for instance, a Jewish faction in the Russian or Ukrainian party of Socialist-Revolutionists. There could be Jewish, Polish and other factions in the Lithuanian party of Social-Democrats. Every faction would be represented in the central committees of the respective parties. The general meeting of all factions would be a common meeting ground for a mutual exchange of ideas, which would inevitably result in a better understanding among the various nationalities of the country.

The other argument advanced is that the Jews must have their *own* representatives in all legislative and administrative bodies, who will be responsible

directly to them and act in accordance with the instructions of the Jewish parties which elected them. This argument is convincing in its application to countries where the constitution does not guarantee equal political rights to national minorities. It is evident that in countries where the Jews must continually struggle to obtain the recognition of their elementary rights, they must have their own representatives devoted to their interests. On the other hand, however, in a parliament composed of an anti-Semitic majority, a mere handful of Jewish deputies would be powerless in any case and could not obtain considerable results.

# CHAPTER IV

## JEWISH AGRICULTURE IN EASTERN EUROPE

THE life of the Jew in the former Russian Empire, previous to the revolution of 1917, reflected in all its different phases the artificial conditions and innumerable restrictions which formed an inseparable part of the reactionary policy of the former governments of Russia.

The laws and regulations concerning the "Pale of Settlement" brought about an abnormal congestion of the Jews in the towns and hamlets of Ukraine, Lithuania, White Russia and Poland. The disqualification of the Jews in government and public service, restrictions in their rights to own land, etc., inevitably compelled the great majority of the Jewish population to seek a livelihood in trade and industry alone. Nevertheless, even in this artificial condition of Jewish life in Russia there was about it something stable and settled, something wrought through centuries of Russian despotism and reaction.

The revolution of 1917 swept away all the legal restrictions of the Jews. But in November of the same year the Bolsheviki were already in power. The disorganization of economic life and the general stagnation of trade and industry which followed in the wake of the anarchy and civil war affected especially the Jewish population. After this followed the nationalization of commerce and industry,

as a result of which the whole Jewish population engaged in these branches of economic activity found itself without work and without bread. To enter the ranks of the factory workers was impossible for these Jews, because the number of running factories and other industrial plants in Russia was not only not increased under the Soviet régime but, on the contrary, catastrophically reduced.

Under these circumstances nothing remained for the Jews to do but to turn their eyes towards the only occupation where the Bolsheviki had not been able to prohibit all private initiative, that is to say, agriculture.

A brief excursion into the history of Jewish agriculture in the former Russian Empire will perhaps be opportune, in view of the present interest in agriculture among the Jews.

Up to 1800 the right of land ownership in Russia belonged only to the nobility, the monasteries, and the crown. It was only in 1800 that permission was granted to merchants and townsfolk (non-Jews) to acquire land, but without serfs, as these could be owned only by the nobility. In rare exceptions, individual Jews were also permitted personally to engage in agricultural work and to lease land.

The idea of attracting the Jews to agricultural life, however, had arisen in Russian government spheres already at the close of the eighteenth century. Practical realization was first given to this idea in the twenties of the nineteenth century, when it was decided to colonize the so-called "Novorossia" (a region near the Black Sea), even if it was to be done in a compulsory and artificial way. The Jews,

together with Germans and Bulgarians, were the pioneers in the agricultural settlement of Novorossia. However, the policy of the Russian Government in this question lacked definiteness; now the government would begin colonizing the Jews, then, again, it would suddenly stop all colonization.

The reign of Nicholas the First gave the Jewish colonists certain privileges and advantages. Side by side with these, however, *compulsory* measures were also applied by Nicholas the First to make the Jews turn to agriculture. In 1836 it was decided to send a great number of Jews to Siberia, there to become agriculturists, but in 1837 this decision was already revoked, and those Jews who had managed to reach Siberia were turned back. In 1846 permission was granted to the Jews to establish agricultural colonies in the Province of Ekaterinoslav.

Under Alexander the Second—notwithstanding that it was the era of the first liberal reform movement in Russia—further Jewish colonization in Novorossia met with difficulties and obstacles. By this time Novorossia was already more or less densely populated, and required no more artificial settlements. "The Jew has done his work," and, like that Moor, "The Jew may go!" . . .

It is true that in 1862, in the reign of Alexander the Second, the Jews received the right to purchase land. But already in 1864 there began a whole series of interdicts and prohibitions which abrogated this right precisely in those provinces where the great majority of the Jews lived. Finally, in May, 1903, a decree was issued by the Committee of Ministers, depriving *all* Jews *throughout* the empire of the right to purchase land.

According to the figures of the ICA, there were before the war in the territory of the Russian Empire about 150,000 Jews who owned and worked their land. These figures are at some variance with the official data of the government census of 1897, according to which the number of Jews engaged in agriculture was more than 163,000, namely, 157,820 within the "Pale of Settlement," and 5,763 without.

The bulk of the Jewish farming population lived in the Province of Kherson, the Province of Minsk ranking second, and Bessarabia third. *Least of all was the number of Jewish agriculturists in the Tauride Province, which includes also the Crimea.* Still, in spite of these relatively trifling results, up to the present time, it will not be amiss for us to mention certain general facts regarding the Crimea, in view of the widespread interest aroused for this wonderful garden-spot of the earth, famous for its natural beauty and balmy climate, in connection with the Utopian scheme of Abraham Bragin and the Soviet Government to establish in the Crimea and Southern Ukraine a Jewish state.

One half of the Jewish agriculturists are settled in the Jewish agricultural colonies proper. The best of these are located in the Provinces of Kherson and Ekaterinoslav, which had about 27,000 Jewish colonists prior to the revolution.

In all the five Jewish colonies in the Crimea established in 1922, there were in 1923 about 150 families, or about 400 souls. All these colonies—Tel Chai, Maayen, Avoda, Chaklay, and Ikor—are situated in the northern section of the Crimea, in the vicinity of Djankoi. Properly speaking, we ought

to regard the colonists of Tel Chai rather as *Chalutzim,* for it is reported that they look upon their stay in the Crimea as only temporary, while preparing to emigrate later on to Palestine.

After this chapter had been set in type, Dr. Rosen's report on Jewish colonization in Ukraine, Crimea and White Russia was published. This report notes a considerable development of Jewish agriculture in Crimea during the past three years. In July, 1925, the number of Jews engaged in agricultural pursuits in Crimea was 4,640, in Ukraine 77,000, in White Russia and Central Russia 34,000. The acreage occupied at that time by Jewish farmers was: 75,800 in Crimea, 513,000 in Ukraine, 108,000 in White Russia and Central Russia (July, 1925).

The greatest extent of the Crimean Peninsula from North to South is about 115 miles, and from East to West about 185 miles. Its present population is about 562,000, the Jews numbering about 40,000. The southern portion of the Crimea, which is mountainous, covers about one fourth of the peninsula, and the remainder is flat steppe country.

The Crimea has eleven cities, and here, according to pre-war figures, were concentrated about 37% of the whole population of the Crimea. From the same figures it appears that the Tartars made up about 90% of the total population in the mountainous section, and about 50% in the steppe, i.e., the agricultural regions. The principal agricultural products of the Crimea are wheat, barley and vine. During the past decade, no doubt, certain changes in the composition of the Crimean population must

have taken place. But at all events it is safe to say that not less than 75% of the inhabitants are Tartars and Ukrainians, and that the remaining 25% are Great Russians, Jews, Germans, Armenians, Greeks, Bulgarians, Karaites, Esthonians, and Gypsies.

The chief centers of Jewish population in the Crimea have always been, and are today, the cities of Simferopol and Karasu-Bazaar. Most of the Crimean Jews were craftsmen and artisans previous to the revolution. We regret to have no data to show how far the ratio of artisans to the general Jewish population of the Crimea has been altered since.

Before the revolution a very large portion of the land in the Crimea was concentrated in the hands of a small number of Russian landlords. This is why there was always a very large number of peasants in the Crimea who had either too little land or none. Needless to say, these peasants have been demanding very insistently, and are bound to demand also in the future, all the landed estates confiscated in the revolution from the landlords, monasteries and crown.

The Crimea had numerous palaces and estates belonging to the Russian imperial family. It used to be the favorite residence of the Tsars and the highest dignitaries of the empire at all seasons of the year. Reactionary propaganda among the population of this region, anti-Semitic agitation, the prohibition of settlement of Jews in certain parts of the Crimea—all these things were only the natural consequence of the love and attachment

shown by Russia's rulers for this garden-spot of the empire. . . .

In the future the Crimea bids fair to become an object of strife and contention between Tartars, Russians and Ukrainians. In recent years the separatist tendencies, aiming at absolute independence for the Crimea, have greatly increased among the Tartars. The Ukrainians, again, would have the Crimea as one of the states entering into the composition of Ukraine, being prepared to let it have its local autonomy. Russian imperialists dream of an absolute subjection of the Crimea to Moscow. And, lastly, the Russian federalists propose to set up a separate Crimean state as part of a Russian federated republic.

Small wonder that the Bragin scheme of an autonomous Jewish state in the Crimea and Southern Ukraine has provoked an angry protest among the Gentiles. Russian and Ukrainian newspapers of various shades of opinion have already commented in a series of indignant articles and editorials upon this scheme.

It is precisely the Crimea and the southern parts of Ukraine which border upon the Black Sea. It is here that the most important ports of that sea are situated. And it would be hard to find another section of the former Russian Empire which offers a more favorable ground for uprisings, civil wars, mutual suspicion, etc., than this one, for some years to come, at least.

Moreover, it is precisely in the Provinces of Ekaterinoslav, Odessa, and the Crimea that many thousands of peasants from the Provinces of Kiev, Podolia and Volynia have registered already their

claims and obtained the promise that they would receive land confiscated from the former landlords and the crown after the revolution. These three provinces are densely populated, and among their peasants there still are a great many who have either too little land or none at all. Furthermore, a considerable proportion of that huge mass of Ukrainian peasants who emigrated before the war to Siberia have announced their intention of returning to Ukraine, and these peasants have claims precisely to the Southern Ukraine, i.e., the Provinces of Odessa and Ekaterinoslav. Similar intentions have been voiced by many groups of peasants from the Great Russian and White Russian provinces.

Under the laws of the Soviet Government, the preferential right in the distribution of free land belongs to peasants with little land, and to those landless peasants who have previously been engaged in agriculture or are at least of peasant origin.

In view of all these circumstances it is manifest that the problem of furnishing land to the Jews in the southern parts of Ukraine and in the Crimea is not very simple and may yet meet with very serious obstacles.

Now, however, there is a very real danger that the noise raised by the project of Abraham Bragin will not only fail to have favorable consequences, but will create additional difficulties for the establishment of new Jewish agricultural colonies in the Crimea as well as all over Ukraine. And the sooner all these idle and fruitless talks about a Crimea-Ukrainian Jewish state will cease, the better for new agricultural possibilities for the Jews all

through the territory of the former Russian Empire. The economic aspect of this problem is far too important and urgent that we should permit it to be obscured and checked by such risky and futile political-national side issues.

# CHAPTER V

## WHITHER?

More than once did this question—Whither?—become most serious for the Jews of Eastern Europe. Prior to the Russian revolution, however, there was one hope and one consolation amidst all their trials and tribulations. This hope, or rather illusion, was their firm belief that anti-Semitism and pogrom tendencies were strong only among the reactionary Russian Government officials, and that the great mass of the population of the empire, especially the peasants and working people, were free from hatred for the Jews.

The civil war, numerous uprisings and revolts, and the chaos and the anarchy which overwhelmed the former Russian Empire in the fall of 1917, destroyed this most cherished illusion of the Jews very quickly. The stern reality has since shown that the virus of anti-Semitism injected by the government has penetrated very deeply the masses of the non-Jewish population. On the other hand, it was made evident that under no government, even the most reactionary and anti-Semitic, can there be such terrible Jewish pogroms in Eastern Europe as in the absence of all governments, during civil war and anarchy. The principal contingent of pogrom-makers is always furnished by the criminal elements, who are on the lookout for opportunities to plunder and pillage with impunity. Anti-Semitic

agitation, the ease with which it is possible to tell an Eastern European Jew from a Gentile by outward appearance, and the greater degree of defenselessness of those Jews as a minority of the population—all these circumstances tend to explain why pogroms overwhelm the Jews almost exclusively.

Under such conditions every new revolution, *coup d'etat*, or uprising of any particular nationality of the former Russian Empire—in short, all those things which may result in civil war—are fraught with mortal danger to the Jewish inhabitants. This is very strikingly illustrated by the example of Great Russia and Siberia, on the one hand, and Ukraine, on the other.

In Great Russia and Siberia there were practically no pogroms throughout the period following the revolution. It is true, in these parts of the former Russian Empire, which did not include the Jewish "Pale of Settlement," the number of Jews has been very small, relatively speaking (less than 1 per cent of the total population). They lived chiefly in the cities, as doctors, lawyers, druggists, and certain privileged merchants, differing but little in dress and general appearance from the rest of the population. But the main reason for the absence of pogroms in these parts of the country was that their almost homogeneous Great Russian population did not have any *national* conflicts to wage. No one threatened the *national* independence of Great Russia. The Bolsheviki quickly extended their control all over Great Russia and Siberia without any continuous and serious opposition.

In Ukraine and White Russia, on the other hand,

with their large Jewish population, the Gentiles, and especially the peasants, saw in the Bolsheviki not only their political enemies, but also *Russians,* or, more properly speaking, *Great Russians,* who were trying once more to subject the territories of Ukraine, Crimea, White Russia, the Caucasus, etc., to the centralized authority of Moscow. Needing grain and cattle for the poorer sections of the North, the Bolsheviki descended every year like locusts upon the fertile fields of Ukraine, robbing the local peasants of the greater part of their harvests, horses, and cows, taking sometimes even the last head of cattle.

It was on these economic grounds that the hatred of the Ukrainian for the Great Russian became most fierce and intense. In the eyes of the Ukrainian peasants, Denikin, as well as Lenin, typified Moscow and Great Russia, whose domination they are anxious to throw off. In the event that the Bolshevik rule weakens or collapses in Ukraine, Caucasus, White Russia, and all the other territories where it is now in force and where serious *national* problems exist, it will be inevitable that revolts and civil wars should break out there. And the Jews living in the sections which are bound to suffer from the bloody encounters between the various nationalities will always find themselves between two fires. *All* belligerent parties will demand of the Jews sympathy and co-operation for their own side, and each party, even in the event of a very short-lived victory, will take reprisals against the Jews more than against any other element of the population, because, perhaps, a certain portion of the Jewish population will have sympathized with

or been merely neutral to the enemy. While it is often hard to distinguish by mere outward appearance between an Ukrainian and a Great Russian city dweller, the majority of the Jews of the former "Pale of Settlement" may be easily recognized as Jews at a glance.

The Jewish masses reckon with the possibility of anarchy and the perils with which it threatens them. This is why, in spite of the negative attitude of most Jews towards the Soviet régime, which has been responsible for the economic ruin of the Jews, the latter justly fear all kinds of upheavals and revolts, which spell danger of pogrom and massacre. This is why our unfortunate, harassed brethren in Eastern Europe are seeking so eagerly and persistently for an answer to the question which now confronts them in all its tragic seriousness, the question—Whither?

After the pogroms of 1881, and after that of Kishinev in 1903, life itself furnished the answer to this question. At that time the Jews of the former Russian Empire emigrated in vast numbers, chiefly to the United States. Today we could expect a still greater wave of emigration to America as well as Palestine, if the immigration quotas of these countries would not place certain limits upon the natural flow of immigration.

Outside of the United States, with its definite quota restrictions, Canada and Argentine are very much in favor of admitting more than their quota of any nationality, if these immigrants will give assurance that they will engage in agriculture or stock raising. About three years ago the present writer had a talk on this very subject with the Ar-

gentine Ambassador at Washington, Senator Le Breton, who expressed himself to that effect. Would it not be more advantageous to the Jewish public organizations to devote their efforts to utilizing these opportunities in Canada and Argentine, on behalf of those Eastern European Jews who like to engage in agriculture, instead of the futile and dangerous schemes about the Crimea and Southern Ukraine?

At one time previous to the Russian revolution, the Jews were very fond of saying: "Let every Jew who *cannot* or *will not* remain in Russia go to America or Palestine!" Today, however, we should say instead: *"Sauve qui peut!"* Let every Jew who *can* do so tear himself away from Eastern Europe and go to America or Palestine, provided he gets into the restricted quota.

Entirely different is the question as to the propriety of Jewish transmigrations at the present grave period *within* the boundaries of those territories which are now under Bolshevik rule. I have already had occasion to express my views on the specific danger of a scheme for establishing an autonomous Jewish State in sufficiently populated territories of the former Russian Empire. As a minority, the Jews are powerless, and lack the legal right to declare to the other nationalities, be they Tartars, Ukrainians, or White Russians, "Otes toi de la que je m'y mette!" ("Get off your own territory, that I may take your place!").

There is another French saying, however, which appears to be the most correct answer to the question we have propounded, the question of those Jews who may be compelled to stay on under the Soviet

régime: "J'y suis, j'y reste" ("Here I am, and here I shall remain"). Such, in our view, would be the most proper and most painless solution of this problem under existing conditions. Particular danger is involved in transmigrations of Jews from Great Russia to Ukraine, White Russia, Crimea, and the Caucasus. By this we do not mean to say that the Ukrainians, White Russians, Tartars, and Caucasians are more affected by the poison of anti-Semitism than are the Great Russians. No, for in this respect *all* nationalities of the former Russian Empire are more or less alike, for all of them lived under the reactionary and anti-Semitic influence of the Russian Government. The Great Russians, but especially the Tchetchens of the Caucasus serving in Denikin's armies, outdid the Ukrainians in the savagery and atrocities they committed in the course of the pogroms on Ukrainian territory. But there are, as I tried to point out above, more dangerous and less dangerous *territories* for the Jews in the former Russian Empire, all depending upon the degree of likelihood of civil war and anarchy.

We would advise, moreover, to postpone for the present all wholesale transmigrations from the former "Pale of Settlement" to other parts of Great Russia. It is well to remember that the first Jewish synagogue was erected at St. Petersburg only in 1802, whereas the Crimea had Jews among its inhabitants as far back as the ninth century. We should also bear in mind the fact that, even though Jewish life in the "Pale" was one continuous martyrdom, with pogroms and other calamities recurring from time to time, Jews were almost entirely unknown in Great Russia, from which the law

barred most of them. Hence, who can forecast today the attitude of the Great Russians toward an invasion of Jews from the "Pale"? Especially in view of the popular belief that the Jews have been the creators of the Bolshevist régime and are therefore responsible for all the calamities of the Russian people.

In all those cities and villages where the Jews have been living for generations, they have, after all, some friends among the Gentile inhabitants, who have become accustomed and familiar with them. As permanent residents, these Jews are more or less familiar with the local languages spoken by the peasants and workers of the territory, and know the character and customs of the Gentile neighbors. The horrors of recent years have also shown the Jews very plainly precisely wherein they must look for the greatest peril in a given locality, among the Gentile inhabitants there. And this enables them often to take precautions.

Transferred to new environments, surrounded by an entirely strange and unfamiliar population, the Jews, in case of civil war, are likely to find themselves in far worse conditions than in their present domicile. In this respect especially sound and intelligent reasoning and understanding has been shown by those Jews who are taking up market gardening and other agricultural pursuits *within the environs of their permanent homes, near their own cities and villages.*

*"Sauve qui peut!"* we repeat once more to all those who are able to go to America and Palestine.

But "J'y suis, j'y reste!" seems to us, here, the best solution for those Jews who are compelled to

live on under the Soviet régime, at present as well as in that future transition period which may bring in its wake a fresh wave of troubles, risings, and anarchy.

At all events, pending a restoration of more normal conditions in Eastern Europe, Jewish organizations in other countries ought to refrain from directing and instigating the Jewish inhabitants of the Union of Soviet Republics in questions of transmigration within that Union. The Jewish inhabitants themselves, familiar as they are with local conditions, are much more competent to decide such problems than are outsiders.

"We do not organize any groups and do not induce anybody to become settlers," says Dr. Rosen in his report presented at the National Conference of the Joint Distribution Committee held in Philadelphia, September 12 and 13, 1925. "The groups must organize of their own accord." Dr. Rosen also states that the Agro-Joint deals with the settlers only after they have been allotted land and have arrived at a destination ready for settlement.

These statements are of very great importance in that they show the real attitude of the Joint Distribution Committee toward the work of colonization. They dispose of the rumors that the Joint Distribution Committee carries on a propaganda among the Jewish population in the Soviet Republics in order to influence the transmigration of Jews from one place to another and their settling on the land.

On the other hand, there is no doubt that this line of "reconstructive rehabilitation" originated in the "dire necessity brought about by the post-war and

post-revolutionary conditions of the country." The fact that the hungry Jewish city-dwellers are rushing toward the land needs no justification. Why should they *refuse* to take land from the hands of the Soviet Government when all the peasant and non-peasant Gentile populations accept it?

All these facts and considerations do not, however, eliminate the risks and dangers involved in this colonization plan. Several measures have to be adopted in order to minimize these dangers and to assure some degree of security for the Jewish colonists. Among these measures, two are especially important:

1. It is by all means essential to avoid in the future the transmigration of Jews from old places, where they had lived for a long time, to new and distant places, and especially from one Soviet Republic to another.

2. It is necessary to support by all means those Jews who desire to leave the cities and to settle on the land in the same or in the neighboring districts, where there is a homogeneous population.

# CHAPTER VI

## FRIENDLY ENEMIES OF THE JEWS AND SUBCONSCIOUS ANTI-SEMITES

### I

THE Jews of Eastern Europe of today are far from being homogeneous in their political and national views and sympathies. The Russian revolution, and the resulting chaos and anarchy which ended in the dismemberment of the former Russian Empire, brought a significant change in the structure of Eastern European Jewry.

As we have had occasion to point out previously in this book, in Great Russia, where the Bolsheviki succeeded in seizing power with hardly any resistance on the part of the population, the proportion of Jews before the Revolution (about 1 per cent of the 70,000,000 people living in Great Russia) was negligible. The majority of the Great Russian Jews lived in the towns. As a result of the nationalization of industry and trade, they remained without bread, and, consequently, had to choose between starvation or employment in the Bolshevist institutions. The most prominent of the Russian-Jewish intelligentsia who managed to escape from the land of Soviet rule to Western Europe live now mainly in Paris and Berlin. The most influential Russian anti-Bolshevist newspapers and magazines are now published in these two cities, and the majority of

their contributors are Russian Jews. Generally, the number of Jews among the active Russian anti-Bolshevist groups is much larger than in the ranks of the Bolshevist Government.

What are the proportions of the Jewish population in other parts of the former Russian Empire? From the viewpoint of numbers and political importance, the Jews in the regions of the Don and Kuban and in Turkestan are not very significant. In Latvia they are more numerous, but politically they are negligible. Still fewer proportionately than in Great Russia are the Jews in Finland, Esthonia, Siberia and in the Caucasus. The great majority of East European Jews lived, and still live, in Poland, Lithuania, White Russia and Ukraine.

The Polish and Lithuanian Jews have from the beginning taken a hostile attitude toward Bolshevism and have turned their efforts to the creative task of building up the new national States on the ruins of the former Russian Empire. The Lithuanian Jews have played an especially important part in this work.

There were and there are among the Polish Jews many sincere Polish super-patriots, popularly known as "Poles of the Mosaic persuasion." The Poles themselves recognize them as "good Poles." Friction began to develop when large numbers of Jews immigrated to Poland during recent decades from the neighboring States of Lithuania, White Russia, Ukraine, and so forth. This alien population could naturally not adapt itself immediately to the new conditions of life, the language and other unfamiliar features of their new environment.

Notwithstanding the presence of a strong anti-Semitic movement in Poland, the Polish leaders were compelled at the Peace Conference to incorporate in the Polish Constitution the clauses guaranteeing national rights to the Jews. The pogroms in Poland which began in 1919 were stopped after the intervention of Clemenceau, who wrote to Paderewski his celebrated letter condemning pogroms and other anti-Semitic excesses.

There are today many Jews in both houses of the Polish Parliament. In one of the last Cabinets the portfolio of the Minister of Commerce was held by a Jew. Ashkenazy, the former chief representative of Poland in the League of Nations, and an eminent authority on Polish history, is a Jew. If the Jews of Poland were not so active in government work as the Jews in Lithuania, it is the fault of the Poles, who have discouraged the extensive co-operation of the Jews and who have welcomed only those Jews who are the pronounced advocates of full assimilation with the Poles.

The Jews are in an especially tragic position in Eastern Galicia, in the Vilna district, and in other regions having a preponderant Ukrainian, Lithuanian, or White Russian population. These territories are now part of Poland. The Jews find themselves between two fires. The native Ukrainian or Lithuanian population expect the Jews to give them their sympathy and their support in elections, against the Poles. On the other hand, Poland keeps a jealous eye on the same Jews, and expects them to support her policies. The Poles resent the independent attitude of the Jews, who organized their own political parties and are asking for full

Jewish national autonomy, and yet the Poles themselves, who constitute a national minority in Ukraine, Lithuania, and so forth, have also organized their own Polish political parties and are demanding full national autonomy for Poles in those countries.

In White Russia the Jewish population worked hand in hand with the native White Russian people in their efforts to save White Russia from Bolshevist invasion and tyranny. The blame cannot be thrown upon the Jews if these efforts have not met with success.

A most difficult and complicated situation confronted the Jews of Ukraine. The Ukrainian national movement had its roots in the villages, where the Ukrainian language, national songs and customs were preserved. In the cities this movement was represented only by small groups of Ukrainian intelligentsia, who resisted the policy of forcible Russification practiced by the Tsar's Government. Jews, as urban dwellers, knew little about the Ukrainian question, and could not envisage the real power and importance of this movement which came to light immediately after the revolution of 1917. As early as April, 1917, the Ukrainian National Rada (original Ukrainian Parliament, composed of Ukrainian, Russian, Jewish and Polish political parties) came into existence. The Jewish members of the Central Rada were in accord with the latter's anti-Bolshevist spirit and activity. In the beginning, the Rada asked for the federation of Ukraine with Great Russia, but after the Bolsheviki had seized the power in Great Russia and dispersed the All-Russian Constituent Assembly (Jan. 5,

1918), the Central Rada proclaimed on Jan. 9, 1918, the full political independence of Ukraine. A large number of the Jewish members of the Rada opposed the complete separation of Ukraine from Russia. The Jewish masses meanwhile stood aside, failing to grasp the complicated and fluctuating political situation.

As has been stated, the Ukrainian Governments of the Central Rada, Hetman Skoropadski, and the Directory frankly sought the cooperation of the Jews in their task.

In February, 1919, the Russian Bolsheviki took Kiev and established their nominal supremacy over Ukraine. Then followed the struggle between the Ukrainian national army and the Bolsheviki, the Ukrainian peasant insurrections, and the appearance of irregular bands, which brought in their wake general suffering and bloody pogroms on Jews. The Bolsheviki accused the Jewish bourgeoisie of being sympathetic to the capitalistic régime; the Ukrainians persecuted them for lack of loyalty to the Ukrainian national movement.

In the fall of 1919 Ukraine was overrun by the so-called "Volunteer Army" of General Denikin. The pogroms perpetrated against the Jews by these troops were infinitely worse, both in extent and in their atrocities, than the pogroms of the spring of the same year.

Following the catastrophic collapse of the so-called "White" movement led by Denikin, Kolchak, Yudenitch and Wrangel, the maddened reactionaries and anti-Semites from their camps launched a systematic campaign against Jewry in the countries of Western Europe and America. They deliberately

and maliciously exaggerated the part played by Jews in the Bolshevist movement. In particular, they took pains to spread the report that the younger Jewish generation was almost to a man in the ranks of the Communist party, something that would be laughable were it not so sad!

What are the facts? The facts are that the Jewish youth growing up under the Soviet régime betray very little enthusiasm for Communism. According to figures cited in a report of the Jewish Telegraphic Agency, the All-Russian Communist Youth Association numbered in the Fall of 1924 not more than 19,815 Jewish members, i.e., about 40 out of every 1000 Jewish boys and girls between 14 and 18 years of age. And the entire Jewish membership of the Communist Party in 1924 was only 72 out of every 1000 adult Jews throughout the Soviet Union. Such is the unanswerable testimony of figures, such are the facts.

It is interesting to compare this short statement about the situation of the Jews in Eastern Europe with the article Charles Sarolea, Professor at Edinburgh University, "The Jewish Crisis in Eastern Europe," which appeared in the January, 1923, issue of Current History Magazine.

Some general conclusions about the Jews at which Professor Sarolea arrives are quite true. Naturally, the Jews as a people have no right to claim to have a monopoly of "all private or public virtues." There is no doubt that the Jewish people, like other peoples, include "many undesirable elements." Professor Sarolea also points out the bad influence which centuries of persecution had upon

Eastern Jewry. Oppression and Slavery always leave their taint.

"Assimilation cannot be a solution," he says, "because the orthodox and conservative Jewish communities refuse to be assimilated." He also says that Zionism is no solution, because Palestine cannot find room, in his opinion, for a number of Jews equal even to the Jewish population of Warsaw. And there is no place on the earth suitable for the wholesale migration of the Jews excepting "unoccupied parts of Siberia." The old Jews, however, will not leave Eastern Europe. One would naturally expect the situation to be disturbing to Zionist and other Jewish organizations which believe in the possibility of removing all Jews from Eastern Europe to other parts of the earth.

Professor Sarolea thinks that there are too many Jews "in the body politic of the East European States." "Those new States may not be able to digest the 6,000,000 alien people who are living in their midst and are furthering their national existence," he says. It is not clear what standard he uses to measure the desirable proportion of "alien people" in the East European States. There are many States in this world whose population consists of various nationalities. In the City of Washington, alone, the colored people constitute 25 per cent of the population, and if some of the white people are not pleased with this fact, it only testifies to the intolerance of the dominant race toward the colored. The fact cannot be remedied. The colored cannot become white. The transplantation of the colored people to other lands is also out of the question, even in the minds of their enemies.

If the opinion of this writer, that it is impossible for the newly created East European States to live peacefully with the Jews, be correct, then it would testify only to the low degree of culture and social development of the dominant population of these new States. Still more discrediting to these new States is his statement that "the Jews are threatening their national existence." This assertion is without basis, especially as applied to Poland. Professor Sarolea says that "the Poles are naturally easy-going and tolerant." In other words, he places the entire blame for the unfriendly relations between the Poles and the Jews upon the Jews. He forgets that the "tolerant" Poles, during recent years, have practiced economic boycott against the Jews. The "easy-going" Poles made the cutting of beards from Jewish faces a national sport and the massacring of Jews a common occurrence. But what is the guilt of these Jews? Why were they, and why are they, exposed to such persecutions? Professor Sarolea finds the answer in the sharp difference which exists, according to his opinion, between the Western and the Eastern Jew. He points out these characteristics of the East European Jew which he regards as a menace to the new East European States: "The Western Jew is an internationalist and a cosmopolitan. . . . The Eastern Jew, on the contrary, is a confirmed nationalist. . . . The Western Jew is a progressive and a modernist . . . the revolutionary ferment in contemporary Europe. In Bavaria, in Hungary, in Russia . . . many of the Bolshevist leaders have been Jews. . . . But in Eastern Europe the Jew is a conservative, one might say a reactionary."

Admitting even for a moment the highly doubtful statement that all Polish, Lithuanian and Ukrainian Jewry is conservative and reactionary, it would still be hardly possible to recognize in this characteristic of Jewry a menace to the existence of the new States. But the Jews' chief defect, in the opinion of Professor Sarolea, lies in the fact that East European Jews are "confirmed nationalists," that they have a very great "tribal instinct." "One can understand the difficulty for two nations, with different languages, different religions and different ideas, to live peacefully and harmoniously, the one alongside of the other," he declares. Though he acknowledges the right of the Jews to speak Yiddish, which he calls a "German dialect," he points out that the Poles find it impossible to accede to the request of the Jews to use and recognize "this dialect" in the public schools of the Polish State.

Professor Sarolea speaks at the same time about the very large proportion of Jews in trades and the liberal professions. If there had not been in the former Russian Empire restrictions and regulations, "the majority of the lawyers and doctors of Moscow, Petrograd and Warsaw would have been Jews."

On the one hand he finds that Jews live huddled in the ghetto, that they are conservative and unwilling to learn the Polish language; and on the other hand he finds fault with the thirst of the young Jewish generation for the highest education in the universities of the country where they live! Again, he discovers that the "predominant position of the Jews in commerce and finance" will bring harm.

But later he says, disdainfully, "it is difficult to imagine the destitution of the bulk of the Polish Jews. . . . They are miserably underfed, they are shamefully overcrowded."

He also sees a possible danger for the Jews in Zionism, which is another "powerful cause of friction to all the other causes of enmity." Finally, he fears that in receiving religious and national rights the Jews in East European States "not only will constitute a State within a State, which might create a very difficult political situation, but they would also consitute a thousand little republics within the Polish Commonwealth."

After a careful reading of Professor Sarolea's article, one must come to the conclusion that in his opinion there are only two possible solutions for East European Jewry—either their exodus from Eastern Europe or the abdication of their nationality, language and religion and the curtailing of the proportion of Jews who are engaged in commerce and the liberal professions. One fails to see, however, the necessity for limiting the proportion of Jewish physicians, lawyers and merchants when all Jews shall have been thoroughly assimilated with the Poles, Lithuanians or other peoples among whom they represent a minority, for then the Jews would inevitably cease to be Jews.

The Poles, Ukrainians and other peoples emancipated from the oppression of the Tsar have inherited in large measure the anti-Semitic policies of the Tsarist Government. Oppression and slavery leave their taints; they corrupt both the oppressor and the oppressed. We are ready to

recognize that persecution has to a certain degree distorted the soul of East European Jewry. But Jewish persecution and pogroms have left much more dangerous traces in the souls of the peoples among whom anti-Semitic and pogrom propaganda had been conducted for centuries.

Impartial observers are of the opinion that the bad feelings which now exist between the Jews and their neighbors in Eastern Europe will gradually diminish until they pass altogether, as was the case in the States of Western Europe. The solution of the Jewish problem does not lie in a single remedy. A relatively small number of Jews will go to Palestine. The immigration to America will also continue within the limits of possibilities created by Congressional legislation. But neither of these will sufficiently decrease the number of Jews in Eastern Europe, for the natural increase in the population will make up for the departing emigrants. The real solution for the bulk of the Jewish population which will remain in Eastern Europe was aptly stated by Professor Sarolea himself in his book "Great Russia," published in 1916 (Knopf):

"They [the Poles and the Jews] must prosper or decline together. It is impossible to liberate the one without liberating the other. It is idle to speak of the resurrection of Poland and at the same time maintain the Hebrew population in perpetual bondage. You cannot erect in Poland a free, self-governing State and at the same time exclude from that State the most enterprising, the most intelligent, the wealthiest section of the community."

## II

Professor Sarolea belongs to the type of the so-called "friendly enemies" of the Jews. There is, however, another category of writers, which is far more dangerous, namely, the so-called "subconscious" anti-Semites. Their number increased very considerably during and after the World War, which has demonstrated, on a large scale, the horrible results that usually follow wars. Besides material destruction, the psychology, temper, customs and viewpoints of nations and individuals are left exposed to very significant changes.

One of the most unfortunate consequences of the late war is the anti-Semitic campaign which is being conducted by enemies of the Jewish people, not only in Europe, but even in the liberal United States of America. The American industrialist, Ford, and the Russian reactionary, Brasol, as partners in anti-Semitic work. . . . Such a combination in pre-war America was impossible! Recent events at Harvard University, the question of limiting immigration, aimed particularly at the Jew, this all happens in the same United States which abrogated the treaty of commerce with the Russia of the Tsars because the Russian Government forbade American Jewish citizens to enter its own hallowed soil!

Side by side with the open enemies of the Jews, there has come forward in America a new type of publicist, who is seized by a so-called subconscious anti-Semitism and appears as an anti-Semite behind a mask. This new variety of enemy starts by enumerating the qualities of the Jewish people. Then

he explains the elemental forces that create, *quite outside of any guilt of the Jew,* the presence of various defects and vices in the Jewish race. Then he reaches the conclusion: "The Jews are enemies of the country in which they are living" (as in the case of Poland), or "all attempts to waive the existing quota restriction clause on immigration should be vigorously resisted" (the existing condition in the United States).

In Mr. Burton J. Hendrick's articles on "The Jew in America" in *World's Work,* similar conclusions were reached about the Polish Jew. Mr. Hendrick narrated in detail, in his first two articles, the history of the settlement of the German and Spanish Jew in America. In the German and Spanish Jew, comprising about one-sixth or 500,000 of the whole Jewish population in the United States, Mr. Hendrick recognizes all the constructive traits in man and citizen. But quite different is his opinion regarding the remainder of the Jews in America, to whom he devoted the third of his articles.

To facilitate his task, he describes all these immigrants from Eastern Europe as "Polish Jews." Such a comprehensive interpretation of the boundaries of Poland excels even the most ambitious dreams of the Polish imperialists!

In accordance with this scheme it develops that Ukraine, Lithuania, Latvia, White Russia, Rumania, etc., are but component parts of Poland. Mr. Hendrick thereupon quotes the historical fact that in the Middle Ages there existed, between the Black and Caspian Seas, a Kingdom of Khazars. These Khazars, according to the well-known Dr. M.

Fishberg and other anthropologists, were descendants of Turanians, or Tartars, or Mongols. But later they embraced the Jewish faith. After the conquest of their kingdom, the Khazars dispersed and merged with other people, the majority of them retiring to Asia.

But Mr. Hendrick has no further interest in the fate of the Khazars. He merely points out the presumption that some of them migrated to Poland and in time lost their identity by intermarrying with Polish Jews. And consequently a special type of Polish Jew was created which he described as follows: "Blond hair, green or blue eyes and a stubby nose." "These physical traits," says Mr. Hendrick, "portray the great infusion of Slavic, Tartar or Mongol blood that flows in his veins, and this infusion is a matter of history."

Let us agree for a moment with these astounding generalizations and affirmations of Mr. Hendrick, rare in their audacity and astonishing in the power of their imagination. Let us imagine that the whole of Eastern Europe is Poland, that all Polish Jews are light-haired, blue-eyed, and stubby-nosed descendants of Slavs, Tartars or Mongols.

But anti-Semites in Eastern Europe have always felt a keen aversion to the long noses and pitch-black hair and eyes, because they were considered typical of the Jew. The prominent Russian anti-Semite, W. Shulgin, recently expressed his hateful opinion of the dark-complexioned Jew as compared with the blue-eyed and light-haired Slav.

Mr. Hendrick, on the other hand, is an admirer of this burning-black Jewish type, with the aquiline nose, and has even used, as an illustration for his

first article, a portrait of such a typical Spanish Jew. But if Mr. Hendrick finds that the danger and the harm are caused, not so much by the purely Semitic traits of the Jews, as by the infusion of Slavic, or Tartar, or Mongolian blood, wouldn't it have been more logical to write an article about the Slavs, Tartars and Mongols as a menace to America?

Alas, Mr. Hendrick is speaking only about the "menace of the Polish Jew." He thinks that the Polish Jews are not adapted to the conditions on this side of the Atlantic. "I am not a Pole, I am a Jew," says the Polish Jew. . . . There is, possibly, on the part of some Jews in Poland, such a spirit, as a result of Polish anti-Semitic politics, humiliation, massacres and economic boycotts. But the same Eastern European Jew, after being transplanted to America, feels very soon not only that he is a Jew, but also a good American citizen.

Mr. Hendrick reproaches the Jews of Poland because they "demanded of the Versailles Peace Conference—and successfully—the right to be regarded as a minority people in reconstructed Poland." But the Poles and other peoples made similar demands of the Peace Conference for rights in those countries where they compose a minority. Their wishes were granted also, and no one points an accusing finger at them.

All the other accusations of Mr. Hendrick are the usual hackneyed charges that the Jews are living only in the cities and particularly in New York; that the majority are peddlers and small merchants; that they control the movies and that in New York they own a lot of property.

Mr. Hendrick did not fail to mention, among other things, that the Polish Jews walk through the streets in crowds and hinder traffic. He describes the pushing and jostling on Fifth Avenue between 20th and 30th Streets during the noon rush.

When I read these lines, I remembered the excuses given for the pogrom at Homel in 1904. There was cited, among other causes of the irritation of the Gentiles in Homel, the statement that Jewish crowds on the sidewalks "pushed the Gentiles," and visions of the horror of Russian anti-Semitism and pogroms reappeared before my eyes. . . . It is true that Mr. Hendrick does not consider the blocking of traffic on Fifth Avenue as sufficient cause for pogroms . . . he merely points it out as a reason why we should adhere strictly to the three per cent restriction on immigration. . . . But nevertheless it is painful and vexing to see, in a respectable American magazine, comment about the Jewish "monopoly" of sidewalks.

In general, the whole structure of Mr. Hendrick's articles is a repetition of the old Russian system of dividing the Jews into categories. . . . The governments of the Tsars always regarded with favor all Karaite Jews, as they were not very numerous; and these Karaites were recognized as very useful citizens. But they professed quite a contrary viewpoint toward the many millions of other Jews, the perpetual target for accusations and persecutions on the part of Russian anti-Semites.

It is not my intention to criticize seriously the articles of Mr. Hendrick, and to refute all his groundless assertions point by point. It is not necessary for Eastern European Jews to stand on

the defensive, as no people in the world can be impeached collectively. There are no good or bad nations or people. It is evident that every nationality has its *characteristic qualities*. But these are conditioned by such irresistible factors as climate, geographical situation of the country, the degree of culture of its population, history, etc. There is no human agency authorized to make a *moral* condemnation *of a whole nation.*

The majority of Americans have particularly distinguished themselves by their high degree of tolerance towards all peoples who are making this their home. The brutalizing and irritating effects of the War have found their expression, among other things, in purely atavistic outbreaks of hatred for strangers, for national minorities of different color or creed. Let us hope, however, that these outbreaks will soon be a thing of the past, especially in a country like the United States, the land of liberty, democracy and equality.

## CHAPTER VII

### DR. M. E. MANDELSTAM, A GREAT JEW

ONCE upon a time there lived a man with a golden brain. At the child's birth the unusual size of its head attracted attention, and it was feared it would not live long. Nevertheless the infant survived. Its enormous head dangled in all directions, dragging the rest of the body under its weight. The child often fell. Once it fell down the staircase and hurt its forehead on the stones. A small wound appeared on the head, and in the red blood that trickled down the parents noticed two or three grains of gold. The secret of the large, bulky head was now revealed—the brain of the child consisted entirely of gold.

Adversity became the little boy's lot. His parents, fearing the secret might be discovered, kept hiding him from strangers; they quite justly feared to lose the wealth contained in his head. They also kept the secret of his head from its own possessor, who grew up alone without playmates and companions.

At last, when the youth had reached the age of eighteen, his parents told him the truth about his brain. They asked him for a little gold to compensate them for the expense and trouble of his education. The young man was generous by nature, and he broke off a large piece of his golden brain and gave it to his parents. Having thus

generously paid for his bringing up, he left his parental house and went out into the world.

For everything that life gave him he paid with gold from his brain. He lavished his treasure, giving of it for every kind word, for every act of kindness and favor. In this way his gold soon dwindled, until there remained scarcely enough for two more years of life. And soon the golden brain was exhausted and the man died.

Such is the tale about the man with a golden brain told by Alphonse Daudet in his wonderful *Letters from the Mill.*

And now let me tell you, not a tale, but the truth about a man who had not only a golden brain, but also a golden heart—let me tell you something about Max Mandelstam. Generously, handful after handful, did he scatter the gold of his brain and of his heart, giving it freely to all. And so great was this wealth of his that it lasted not only for two years, but for a life of many long years.

Max Mandelstam was born in 1838 in the little town of Zhagory, Province of Kovno, Lithuania. His great-grandfather had emigrated to the neighboring Province of Kurland from Hanover (Germany). He had been engaged in a large diamond trade, and had been rewarded by Prince Biron of Kurland, who at that time was all-powerful, with the title of "court jeweler" at St. Petersburg, in recognition of his excellent business methods. In speaking of his great-grandfather, Max Mandelstam pointed out that "he did not leave any diamonds to his descendants." But to compensate for it, they inherited from their great-grandfather a love of learning. Benjamin Mandelstam, an uncle

of Max, was well known as a writer in his day. Being in favor of assimilation of the Jews with the dominant Russian race, he wrote against the Talmud, and urged the Jews to study the language of the country and to adopt its customs. Another uncle, Leo Mandelstam, a brother of Benjamin, was a "Jewish scholar" (adviser) with the Russian Ministry of Education. Leo Mandelstam was also an advocate of assimilation, and supported the Ministry vigorously in its campaign to exclude the Talmud from the school curriculum and from Jewish life in general. The following generation of Mandelstams—contemporaries of Max Mandelstam—was completely under the influence of assimilative tendencies. Many of them turned their back on Jewry entirely. Among them there have been noted college professors, judges, lawyers, teachers, writers and diplomatists.

Max Mandelstam alone remained loyal to the Jewish cause to the very end of his days, having devoted all his life and all his labors to the service of his people. What a contrast! Benjamin and Leo Mandelstam, distinguished Hebraists, educated mainly in Jewish literature and culture, later turned into outspoken assimilators, while their nephew, Max, brought up in the spirit of general European culture from the very cradle, later becomes a leader of the national Jewish movement.

What was it that made Max Mandelstam resist the seduction of the assimilative ideas then current among the Jewish intelligentsia?

To answer this question, let us consult some biographical data in our possession.

Max Mandelstam's father, a merchant, was fa-

miliar with modern languages and supplemented the education of the child, who attended the *Kheder* up to the age of ten, by French and German lessons. His mother, a pious and very intelligent woman, read Schiller to the boy. At the age of eleven he entered a German school in Mitau, and on reaching the age of twelve, when his parents moved to Vilna, he was sent to the "gymnasium" (high school). It was at this school that the boy had his first opportunity to taste the bitterness of anti-Semitism and hear the insulting epithet "zhid" (an insulting name for the Jewish nationality in the Russian language).

Four years later the boy graduated from the gymnasium and entered the medical college of Dorpat University. "These were the best years of my life," he used to say in speaking of that period. Dorpat University at that time was a center of German culture and scholarship, and among its German professors were some of the most famous names. But even here, during these "best years," he once heard the epithet "zhid" from a so-called Aryan student, and found it necessary to challenge the "Aryan" to a duel, but the latter preferred to settle the incident by apologizing publicly, and the duel never took place.

Max Mandelstam was prevented from finishing his education at Dorpat University, having been compelled, for family reasons, to go to Kharkov University. At this institution he met with a sore disappointment in the methods of instruction. "What I learned in Kharkov," he used to say, "I tried hard later on to forget." In Kharkov he joined the German students' group, and at the same

time began his friendship with the subsequently famous Professor Hirschman.

In 1860, completing his studies at Kharkov University, he settled temporarily in Chernigov as physician. Having obtained further means to continue his education, he left Chernigov and went to Germany. In Berlin and Heidelberg he studied under the foremost medical specialists and became one of the favorite students of Helmholtz. In 1866 we find Mandelstam in Wiesbaden, in charge of an eye clinic. At about this time he received an offer to take charge of a large eye hospital in America. After long hesitation, he declined this offer. For this, his father was largely responsible, having insisted that he return to Russia.

After obtaining his doctor's degree at the St. Petersburg Military Academy of Medicine, Max Mandelstam settled in Kiev in 1868.

In the biographical data which I have here presented, let me emphasize three elements which went to make up this splendid character. A Jew by birth and primary education in the *Kheder,* Max Mandelstam was connected with Russia only in a geographical sense. The thing which exercised the greatest influence upon his development was the German language and German science. He grew up and received his training, not on the banks of the Neva or Volga; his "best years" were spent on the banks of the Embach and Spree. The first poets with whose works he became familiar were not Pushkin nor Lermontov, but Goethe and Schiller. This saved him from one-sided assimilation. Closely related spiritually to German culture, a child of German scholarship, he could nevertheless not re-

gard Germany as his native country, and, as a matter of fact, he never became quite Germanized. On the other hand, however, he did not become quite Russian either. He did not believe in the possibility of a rapid change in the conditions of political and social Russian life. To him, the introduction into Russia of all those things which constituted the achievements of Western European culture and scholarship appeared to be the only correct way of bringing Russia onto the road of emancipation and equality of all citizens before the law. It was this ideal which he upheld during the twelve years beginning with 1868, which he spent in the chair of ophthalmology at Kiev University as assistant professor.

A profound knowledge of his specialty, the gift of eloquence, and a general sweetness of character —these were the secrets of the popularity and universal love which he enjoyed among the members of the faculty as well as the students. The medical faculty elected him three times to the professorship, but the university council on each occasion refused to admit him because of his Jewish faith. In 1880, when he was elected the third time, only to be once more rejected by the council, he did not hesitate to turn his back on the university forever.

There has been preserved a copy of his *Letter to the Twenty-four Professors* which he addressed to the Members of the University Council. "Permit me to read you a lecture on the fundamentals of morality," Max Mandelstam writes in this letter. Analyzing the motives for the fact that the council had vetoed the election of a man chosen three times in succession by the faculty, he came to the con-

clusion that the cause of this veto was not in any lack of scientific preparation for the task, but in something else. "I was chosen by medical men," says the letter, and "it was only jurists, philologists and mathematicians who did not want me . . . I am ashamed of your actions, and I shall tell you the real cause: you have rejected me only because I am a Jew."

He also pointed out the fact that the faculty had shown themselves worse anti-Semites than the government itself, which had found no objection to his election as a professor. "That was the dark mantle of secret balloting," exclaims Max Mandelstam, "that was the right of might, arbitrariness and brutal force; that was not a case of consideration of scholarship, but, on the contrary, an outrage against science, an attempt to coerce the Jewish conscience."

How great the popularity of the late departed, both as man and scholar, was at the university, may be seen from the memorial address of the students presented to him when he left that institution. Every line of this breathes profound respect and love for their great teacher.

The official representatives of science at Kiev University found it impossible to confer the professorship upon Max Mandelstam. But to the Jewish people he always has been and always will remain "Professor Mandelstam."

That is how he was called everywhere, by the masses as well as at Jewish Congresses, and only the Council of Kiev University refused to concede to him his unquestionable scientific merits because he was a Jew.

Now came a new era in his life. Anti-Semitism

in Russia began to raise its head. The pogroms of 1881 were to be a turning point in his life. He now began to devote himself completely to the interests of his people. In the Kiev newspapers there appeared at that time a series of anti-Semitic articles by Rennenkampf, and he at once took up the challenge and came out with a series of articles in reply. Next we find him at the head of the Committee for the Relief of the Pogrom Sufferers and participating in government commissions on the Jewish problem. Particularly interested was he in the emigration of the Jews to America which started after those pogroms. "Away from here!" Such is the motto which he now proclaimed, because, as he explained it, "we are not Herculeses, and we cannot take upon our shoulders tasks which should be performed by the dominant Russian population."

Emigration, however, did not solve the Russian Jewish problem. Max Mandelstam realized the inevitableness of the assimilation of the Jews with the dominant races of the countries to which they would emigrate. He had no faith in the possibility of a national renaissance in the diaspora, in the cities where the Jews, being in the minority, were bound, under the iron laws of stern necessity, to assimilate with the majority. Max Mandelstam comes to the conclusion that the first task before the Jews is to turn to agriculture, as that is the only thing capable of invigorating the Jewish people and of serving as a basis for directing the emigration towards permanent colonization. "A landless nation is a baseless nation," he said, and this was the beginning of that evolution which soon made him turn to Zionism, and later on to Territorialism.

The importance of the part played by Max Mandelstam in the first stages of the Zionist movement is tremendous. He was the closest friend and helper of Theodore Herzl. The latter, in his famous book, *Altneuland,* pictured Mandelstam as President of the Jewish State that was to be.

His relatives gave me an opportunity to read one of his letters describing his impressions of a trip to the Crimea. He describes in beautiful, artistic form the wonderful sights of Gursuf. He contrasts the Crimean landscape with that of Switzerland. The gigantic mountain peaks of the Alps, covered with snow, are dazzlingly beautiful to behold at sunrise and sunset. But the snows and glaciers remain in perpetual, eternal repose. Let tropical vegetation sprout in the valleys, no amount of sunshine, however, will be strong enough to bring life to the pinnacles sleeping under their blanket of inapproachable snow. The sea, on the other hand, is always astir, heaving, forever restless. "The mountains of Switzerland," says the letter, "are remarkably beautiful, but they are without life and without movement. But the sea is forever alive, forever in motion, and for this reason I love it better."

This attitude of his towards nature helps to explain his change from Zionism to Territorialism. Having convinced himself of the impossibility of realizing the practical aims of Zionism *at that time,* he turned his eyes from these "inapproachable snows of the Alps" in other directions, where actual realities and life itself were calling: he turned to problems of emigration and Territorialism.

"We can wait no longer," he exclaimed, "it is time to act!" He considered wholesale emigration

as the most vital task confronting Russian Jews. In this respect the wishes of the Territorialists and anti-Semites coincided fully. "There is, however," he used to say, "a difference in the motives at the bottom of these wishes; the anti-Semites are anxious to free their countries from the Jews, while the Territorialists want to free the Jews from anti-Semitic countries."

Even the events of 1905 were not able to shake or impair the views of Max Mandelstam. At a time when the whole Jewish people was willing to believe that better days were near, Max Mandelstam alone refused to be carried away by the general enthusiasm. Like a prophet, he foretold the future, looking ahead, not through rosy glasses, but through the sharp lens of reality. He did not oppose any work that might be done within Russia, as can be seen quite clearly from the speech he delivered at a meeting of the electors when deputies to the First Imperial Duma were chosen. He himself, however, refrained from any direct, active participation in this work, considering his activities in the fields of emigration and Territorialism more important. That is why he refused to accept a candidacy as Deputy to the First Duma. Had he agreed to it, he would have made the most desirable candidate that the Jews could ever have wished for. He did not, however, believe in the possibility of a solution of the Jewish problem in Russia, having no hope for any serious resistance to the attractive force of assimilation. "All that may be done would be merely to stem the tide of the assimilative movement," he said in speaking of the various cultural enterprises among Russian Jewry. In a great

number of letters he reveals his scepticism with regard to the hopes and expectations placed in the liberation movement and the efforts made for the cultural renaissance of Jewry in Russia. "I have little faith in the success of your work," he wrote in his open letter to the Jewish intelligentsia printed in the Zionist Almanach of 1902-03: "Generally speaking, the Jewish intelligentsia reads Gorky and Chekhov rather than Jewish authors. But I believe in Zionism and in the masses." He adds, however, "I should be happy to prove a poor prophet."

Such were the more prominent stages and slogans of Max Mandelstam's public career. He was a "Realpolitiker" in the best sense of that word. And yet he was often spoken of as the "dreamer of the ghetto." This appellation was justified as far as the forms in which he clothed his thoughts were concerned. He was an artist of the pen, *an inspired* poet who left quite a number of beautiful poems behind him. But the essence of his philosophy of life shows him to have been a "Realpolitiker" rather than a dreamer. And there can be no doubt whatsoever that had he been alive, he would have returned to the Zionist ranks after the Balfour Declaration, or perhaps even earlier, the moment he would have seen that Palestine had been emancipated from Turkish control and that Great Britain was in favor of creating a Jewish National Home in Palestine.

I should like to dwell, in conclusion, on a few purely human traits of his. To begin with, one had to marvel at the encyclopedic scope of his knowledge. A communal worker, the leader of a great movement, a scholar, an excellent lecturer, a fine

speaker on socio-political problems, an elegant stylist—all these qualities were represented in him. His richly endowed nature responded to everything. Thus, for instance, he carried on a regular correspondence on music with Mrs. Kwide, the daughter of the noted eye specialist Jacobson in Munich. In these letters he dwells on the question of "program music," which he is opposed to, and he goes into great details about Wagner. From the correspondence that was left behind, we can see how problems of every imaginable kind attracted his attention. As early as 1873 Max Mandelstam, while in Vienna, made a study of labor and social conditions in Austria. In those days he claimed spiritual kinship with the Lassalians.

Combined with such an extraordinary scope of knowledge, we find a rare modesty. In an intimate letter addressed to a friend, he expresses his surprise at all the things that had been done on the occasion of his seventieth birthday, and he comes to the conclusion that he is credited with all those merits only because of the general scarcity of real personalities. This modesty charmed all who knew him, and he was the most pleasing personality at congresses, at meetings, and at home. This simplicity of his relations with men reached a degree of absolute equality in his dealings with his domestic servants. Another thing which stood out prominently in his character was his great tolerance. He would never attempt to coerce anyone; on the contrary, he would encourage people in whatever work they undertook, and he treated with respect even manifest errors as long as they were sincere and honest. He not only knew how to speak, but also

how to listen when others spoke. Straightforward, without cunning, he would sometimes seem almost naïve in the confidence he would place in strangers. In this respect he remained forever young, preserving the soul of an innocent child. He valued particularly straightforwardness and sincerity in others. "I love youth," he once wrote to a group of Czech students, "because youth remembers geometry and knows that a straight line makes the shortest distance between two given points." He was also fond of saying: "Where there is a will there is a straight road." But with regard to Max Mandelstam the opposite may be said: "Where there was a straight road, there was his will."

A boundless, profound love for the Jewish people guided all his thoughts and all his actions. And we may give credit to Jewry for having responded to this love in equal measure. The emigrants loved him as children love their father. I once had occasion to be present, along with Dr. D. Yochelman, in Bremen at the departure of a group of emigrants for Galveston. It is difficult to describe in mere words the enthusiasm, the deep loyalty and gratitude that found expression in the hearty cheers of these emigrants standing on the deck of the "Hanover" when one of them called for cheers for Max Mandelstam. Several weeks before his death another party of emigrants on the same steamer heard a false rumor of his death. The grief and despair of the emigrants knew no bounds! Soon, however, it became known that Max Mandelstam was alive and on the road to recovery. There came, then, a second attack of illness, and Max Mandelstam was no more.

At the Zionist Congress in London, in 1900, he concluded his brilliant address with the following words: "On the day when I shall behold the dawn of the physical and spiritual regeneration of my people, I shall joyously exclaim—I have lived enough!" In these words the innermost aspirations of Max Mandelstam found their true expression. Alas! He did not live to see that dawn.

"My people's sorrow is my own sorrow," he used to say. And, in turn, Max Mandelstam's sorrow is our sorrow, the sorrow of the Jewish people.

Mandelstam has found eternal rest. His sorrows are ended, his sufferings have ceased. But our own grief has grown heavier, for Jewry had to bury its noblest son.

# CHAPTER VIII

## POGROMS AND POGROM TRIALS IN THE FORMER RUSSIAN EMPIRE

## I

### (1113-1918)

Ever since the Jewish people lost their political independence and dispersed all over the globe, their history has been tragic indeed. As long as they formed a sovereign nation the Jews resembled any other sovereign nation: they fought wars, composed their national poetry and psalms, built temples and erected national monuments. Defeat kept alternating with victory, sorrow with joy, mourning and fasting with festivities and celebrations. Thus it remained as long as the Jewish people lived on its own territory, forming a compact majority of the population in a definite, even though small, corner of the globe.

Having scattered and dispersed to various foreign countries, the Jews became a homeless nation. The horrors of the Spanish "Inquisition," the oppressive isolation of the Ghetto in Poland, the contemptuous attitude of the ruling nations towards the Jews, and the systematic persecutions in the former Russian Empire and Rumania, constitute the daily portion of Jewish life during the last few centuries.

The first authentic records of Jewish pogroms in Eastern Europe date from the beginning of the twelfth century. In the so-called "Ipatiev" chronicles for the year 1113 we read how Vladimir Monomakh of Russia hesitated for a long time to accept the throne of Grand Prince which had been offered him. While the Prince was holding counsel with the Kiev aristocracy of that time, the ordinary inhabitants of the city began to grow restless because of this lack of a supreme authority. Anxious to vent their spleen on someone and, generally speaking, to give free rein to their passion for pillaging and rioting—constant companions of anarchy—the population of Kiev attacked the Jewish inhabitants and perpetrated a regular Jewish pogrom.

The ancient chronicles give us no other explanation of this pogrom. When Vladimir Monomakh had made up his mind on the question of assuming the supreme authority and ascended the throne, the turmoil and disorder ceased. At the same time the pogrom also ceased. Of a different character were the pogroms which broke out *when a firm authority was already in power,* frequently with its consent, and more often at its behest. In these cases the authorities always, *post factum,* tried to prove their innocence and non-complicity in the pogroms, inventing all kinds of subterfuges and motives to explain the popular "wrath." However, there were also instances when the authorities openly and undisguisedly abandoned the Jews to murder and pillage. It is sufficient to remind the reader that by order of Ivan the Terrible several scores of thousands of Jews who refused to abandon their

faith and accept Christianity were drowned in the Dvina River near Polotsk and other places.

The need of explaining the causes of the pogroms was first recognized when the Russian Empire adopted a regular administration of justice, with public trials on the pattern of Western European courts, that is to say, since the sixties of the nineteenth century.

The Odessa pogrom of 1871, according to the explanation of the prosecuting authorities, was supposed to have been caused by some Jew breaking a cross in the Greek Orthodox church. A similar legend about a broken cross was circulated in connection with the Warsaw pogrom of the same period.

The pogroms which overwhelmed the Jewish population of Russia in the eighties of the past century brought from the Russian administrative and judicial authorities new explanations as to the causes of these pogroms. A brand-new theory was invented, to the effect that the peasants and workers had been enslaved by the Jews. As a matter of fact, the economic misery of the peasants and working population was only the natural result of the feudal serfdom which had existed in Russia, leaving vast masses of the people in darkness and ignorance. But instead of placing the blame where it belonged, i.e. upon the powers that be and the landlords, all national calamities were placed at the door of the Jews. And, to appease the national "wrath" against the Jews, there were created those notorious "Provisional Regulations Concerning the Jews" which restricted their most elementary civic rights and established the so-called "Pale of Settlement."

The authors of these regulations claimed that these restrictions were established in the interest of the Jews themselves, for the purpose of appeasing the wrath of the peasants and workers.

The Kishinev pogrom of 1903, unexampled for its cruelty, and organized by the agents of Plehve, began by the spreading of rumors throughout the city that the Jews had committed a ritual murder. Soon after Kishinev a serious pogrom occurred at Gomel. This time the prosecuting and judicial authorities had a new explanation for the causes and the origin of the pogrom. According to the act of indictment, it was supposed to have happened because of a quarrel between a Jewish woman peddling herrings in the market and some Christian customer. The quarrel over the price of the herring grew into a fight between Christians and Jews. And then, according to the accusation, the fight became a pogrom of Christians by the Jews (and yet, not a single home, nor a single store belonging to the Christian population had suffered, and no one had been killed, with the exception of a crippled beggar who was crushed by the mob in the general melee). In answer to this "pogrom," the Christian population a few days later made a Jewish pogrom.

The October days of 1905 arrived. On October 17, the Tsar issued a manifesto granting a constitution to the country. The news of this manifesto reached the population on the following day, October 18. Jewish pogroms had already started in over three hundred towns and hamlets of the "Pale of Settlement." The mere fact that all these pogroms commenced simultaneously, as if at a given signal, proves that they had all been pre-

arranged at one central, directing point. Even elemental natural phenomena, such as rain, hail, tornados, do not start everywhere simultaneously. Nevertheless, in spite of evidence that the pogroms had been instigated by the Department of Police and that the pogrom proclamations had been printed in the building of the Ministry of the Interior, the investigators and prosecuting attorneys commenced to look for *local* causes, in an effort to explain the pogroms in each particular town and hamlet. So, for instance, in the city of Kiev the pogrom was alleged to have been caused by the fact (which, by the way, has never been proved), that a Jew had destroyed a portrait of the Tsar in the building of the City Council; at Nezhin the Christians had resented the Jews singing revolutionary songs, and in other cities it was claimed that the Jewish youths had acted provokingly, crowding the Christians off the sidewalks. But the most curious explanation of all was given by the authorities for the pogrom at Krolevetz. In this instance, it turned out, the Jews were supposed to have incurred the resentment of the Christian population by the Jewish merchants having greatly increased the price of kerosene. The only thing which the authorities failed to explain was the astounding fact that the Christians of the city of Krolevetz had their wrath aroused against the Jews and started a pogrom exactly on that 18th of October, when pogroms broke out in the other three hundred or more cities and hamlets.

Similar explanations were offered by the authorities also in the case of subsequent pogroms, at Bialystok, Sedletz and other places.

The World War brought with it fresh Jewish pogroms in Galicia, Poland and elsewhere. On this occasion a new indictment was found—there were wholesale and unsubstantiated accusations charging the Jews with espionage and with rendering aid to the armies of the German-Austrian coalition.

The revolution of 1917 overthrew the Tsar's Government. The administration was now in the hands of people who were entirely free of anti-Semitism. All restrictive laws were abolished, and all citizens without distinction of race and creed were declared equal before the law. This, however, was followed by a period of chaos and anarchy. The confidence in the impunity with which murder, violence and pillage could be committed untied the hands of people of criminal tendencies, of the scum of society and regular old jail-birds. On the other hand, again, the old reactionaries, Black Hundreds and anti-Semites were not asleep, either. The pogrom agitation was again started. The participation of the Jews in the Bolshevist movement was exaggerated and exploited to an enormous extent. The results, again, were savage pogroms during the last few years in those territories which are inhabited by a majority of the Jews of Eastern Europe, i.e. in Ukraine, Poland and White Russia (1919-20). Under the Tsar there had existed a firm authority, and pogroms, while organized by the police itself, were usually permitted to last only a certain length of time (nearly always only three days). Now, however, in the absence of a firm authority in these localities, the impunity with which murder and pillage could be

perpetrated was not confined to three days, but without any limit.

## II

The reforms of Alexander the Second gave Russia the institution of honest and unbiased judges. The reign of Alexander the Third initiated an era of reaction. So-called "political" cases were denied jury trial. The Jews were subjected to a veritable bombardment of restrictive legislation. And yet, even at that dark period of half-barbarous absolutism, no attempts were made to encroach upon the freedom and the conscience of the judges. The old habits of feudalism and a contemptuous attitude towards the common people in the cities and the peasantry were characteristic traits of the ruling class in Russia. "The people" were regarded by them as a rabble, as a mere *object* to govern. It was a different matter, however, with the rulers and judges: they had to be "knights without fear and favor," remote alike from falsehood and fraud. For them, there was supposed to exist a certain moral code.

It was not until the time of Nicholas the Second that the first serious encroachment upon the freedom of the judges' conscience occurred. Plehve and his henchmen could not possibly permit the truth of the Kishinev pogrom to be revealed. This case was tried behind closed doors. The investigating authorities, the prosecuting attorneys, and the judges were merely the obedient executors of the government's wishes, and its white-washers.

The same thing happened in the trial of the

Gomel pogrom case. The Jews of Gomel, who had defended themselves during the pogrom against their attackers, were brought to court, accused of organizing pogroms against the Christians! To them was applied the very article of the penal code (Article 269, Section 1) that had been specifically written for the prosecution of pogrom cases, which were interpreted as acts of violence against person and property committed through motives of national and race hatred, or through economic motives. This was the first time in the history of pogrom trials that we found on the bench for the accused, side by side, not only the perpetrators of the pogrom, but also those Jews who had the temerity to defend themselves. This was the first time that a court was found (The Kiev Provincial Supreme Court) which did not hesitate to hand down a verdict of guilty against these Jews. And this, when even the old Russian criminal law declared acts committed in a state of self-defense to be unpunishable!

The years 1904-05 were especially turbulent in Russia. The uprising of the peasants against the landlords and the destruction of their estates had spread all over Russia. And, as has been stated before, in October of 1905 more than three hundred Jewish pogroms had taken place in Russia.

Soon after this, the judicial liquidation of all the consequences of the stormy period of the first Russian revolution began. By that time the demoralization of the administration of justice in Russia had reached its climax. As an illustration of the difference in the attitude of investigating magis-

trates, prosecutors and judges towards the pogroms of landlords and pogroms of Jews, I shall quote a few examples.

In case of destruction of a landed estate all, or nearly all, participants of the riot used to be prosecuted. For one victim there used to be scores of defendants. But in cases of Jewish pogroms the number of victims usually ran into the hundreds and thousands, while out of hundreds or thousands of rioters only a score or two used to be brought to court.

Mere testimony by witnesses was sufficient to make people liable in cases of pogroms against landlords. It would be sufficient for the manager of the estate, the clerk, or the local police lieutenant to testify that he had seen this or that person in the mob, to seal the fate of all such peasants. In Jewish pogroms, on the other hand, *several* witnesses against *each* defendant were required to prove the charge.

In spite of such numerical differences in the ratio between victims, witnesses, and defendants, the number of acquittals in agrarian trials was always most insignificant. On the contrary, in cases of Jewish pogroms, the percentage of acquittals was enormous.

The severest and longest terms of punishment used to be imposed upon peasants who had encroached upon the property rights of the landlord. And, on the other hand, the easiest and shortest terms of punishment used to be imposed, according to that same article (269, Section 1), upon those who were guilty of attacking the Jews. If hood-

lums and rioters burned Jewish houses and stores during a Jewish pogrom, the prosecuting authorities always considered such incendiarism to be covered by the general conception of destruction of property dealt with in Article 269, Section 1. If, however, the peasants did the same thing, i.e. set fire to the house or granary of a landlord during a pogrom of his estate, the prosecution in these cases did not confine itself to applying Article 269, Section 1, but made things still harder for the defendants by charging them also under the special articles of the penal code dealing with incendiarism. This difference will become clear if we will bear in mind that incendiarism was punished under the Russian law by long terms of penal servitude in Siberia.

Lastly, the fact that all peasants convicted for pogroms of landlords actually had to serve their sentences, is very characteristic. On the other hand, all the rioters convicted for Jewish pogroms were amnestied by Nicholas the Second and escaped punishment in this manner.

With such an attitude by the judiciary towards agrarian and pogrom trials, it is easy to imagine how the police must have acted.

Defending by every means the landlords and having nothing but contempt for the peasants, the police itself used to take part in the organization and execution of Jewish progroms. I shall not dwell upon general political trials during the period of Nicholas the Second. This darkest page of the history of his reign applies not only to the Jews, but to Christians as well. But even in these political trials the courts of this particular period were

always harshest in their treatment of Jewish defendants.[1]

The twilight of reaction was growing darker all the time. The famous political trials which had been left over from the first Russian revolution were coming to an end. Just about the same time prosecution had been started in connection with the counterfeiting of diplomas and certificates for professions which entitled the Jewish holders to live outside the "Pale of Settlement" in Russia. At the same time prosecutions had been opened also against those Jews who did not give their names as they had been entered in the birth records. A special article existed in the Russian penal code punishing Jews for substituting ordinary Christian names for their own. While a Christian called Vladimir was free to call himself Voldemar, Peter—Pierre, and Pavel —Paul, woe to the Jew entered in the birth record as Yankel to have the temerity to print his name on the signboard of his store or on his visiting card as Jacob! Aside from a police protocol, or a denunciation of such a dangerous crime, Yankel alias Jacob would be brought before the bar of justice and punished. Thus dragged along the dreary, gray period of the third and fourth Duma.

The World War brought with it a wave of anti-Semitism in the ranks of the armies in the field. Endless false accusations of the Jews, charging them with espionage, profiteering, etc., began. Courts martial in the rear of the armies and field-courts martial on the territory of actual warfare were crowded with cases of this nature. I was

[1] More detailed information and statistical data relating to pogroms and agrarian and political trials for the period of 1903-8 are given in my book "V Polose Liquidatsii," St. Petersburg, "Pravo" Publishing Company, 1911.

prevented, however, at that time from serving my people as defender in such cases, having been excluded in the spring of 1914 from the bar. Living during these years (1914-17) in Petrograd, remote from the theatre of war and from the districts inhabited by the bulk of the Jewish population, I am not sufficiently informed about the trials of the period. In any event, however, according to those generally known facts with which the world is familiar, dealing with the dispensation of justice during the war against Jews, there is no doubt but that considerable numbers of Jews who had to suffer death penalties have died absolutly innocent. They were not the victims of a "judicial error," but of a malevolent, biased attitude towards the Jews on the part of judges demoralized by the régime of Shcheglovitov and others like him.

The revolution of 1917 swept away the old courts. The Jewish population consoled itself with the hope that an absolute end had now come to all pogroms. Alas! those hopes were doomed to disappointment. Immediately after that bloodless revolution, anarchy set in, accompanied by terrible pogroms and the total economic ruin of all classes of the Jewish population of the former Russian Empire.

## III

In looking for the causes of pogroms in the former Russian Empire, unbiased investigators have always come to the conclusion that the government itself was the original source, the instigator and organizer of these pogroms. The general spirit, the general anti-Semitic policies, ema-

nated from the Court and the highest authorities of the government. The local authorities became permeated with the same spirit. The overwhelming majority of the administration officials and the police in the provinces of the "Pale of Settlement," i.e., in those localities where the bulk of the Jewish population lived, were anti-Semitic. Still, their contemptuous attitude towards the Jews did not prevent the police authorities from extorting from the Jews money under threat of a strict application of the laws regulating their right of residence, commerce, etc. But aside from the legal restrictions which confined the Jews in a kind of concentration camp behind barbed wire entanglements, administrative arbitrariness against the Jews was widely encouraged from above, leaving the Jewish population at the mercy of the local police authorities.

As we know, the fear of punishment deters very many people of even the most criminal tendency from the commission of crime. But when there is a certainty of impunity, it is very easy to instigate a pogrom against the Jews in an atmosphere poisoned by centuries of anti-Semitic propaganda. All of us, Jewish lawyers, acting in pogrom cases, and journalists writing about the pogroms and their causes, were absolutely right when we accused the Russian Government and local authorities of deliberately sowing seeds of anti-Semitism or inciting the rabble and criminal scum of society in the cities and suburbs to Jewish pogroms. There is, however, one thing which we all failed to note at that time: we forgot that these seeds would have to yield fruit not only in the shape of periodical "eruptions" (actually, however, organized and encouraged by a

promise of impunity) of pogroms, but also in the shape of strengthening anti-Semitism and contempt and hatred for the Jews in the minds and hearts of a majority of the Christian population in the "Pale of Settlement." We committed the blunder of idealizing the workers and peasants, and we lived in the security that the workers and peasants were animated by just such fine and brotherly feelings towards the Jews as those which animated the better elements among the liberal intelligentsia of Russia. We were convinced that pogroms would become impossible with the downfall of autocracy and the inauguration of a democratic régime in the old Russian Empire.

In such ideas and in this conviction there was, however, a fundamental error. Above all, we failed to foresee the possibility of a long period of anarchy which was to form the transitory stage from autocracy to the new democratic régime.

The last few years, however, have given us a bitter experience and an object lesson showing how deep the poison of anti-Semitism has penetrated into the organism of the nations of Eastern Europe. We had occasion to convince ourselves with our own eyes that the anarchy which accompanies transitory periods like these, in the absence of a firm government authority, spells the greatest danger and is pregnant with terrible calamities for the Jewish population.

As we know, the rule of the Bolsheviki in Great Russia met with practically no organized and armed resistance throughout the whole period that the Bolsheviki have been in power. In this manner it happened that the Soviet Government was compara-

tively stable in Great Russia. And, besides, the percentage of the Jewish population of Great Russia is wholly insignificant, consisting of that portion of Jewry which has been most assimilated, both in habits and external appearance, with the Gentile Russian population. Therein lies the obvious explanation of why there were no pogroms in Great Russia.

The Baltic nations (Esthonia, Latvia and Lithuania) were for a very brief period at war with the Soviet armies. They escaped almost entirely the period of anarchy in Russia. Owing to a number of different causes, among which a great share is due to the comparatively high level of education and culture of these peoples, and also thanks to the protection and assistance given them by Great Britain in their efforts to keep the Russian conflagration from their own door, Latvia, Lithuania and Esthonia succeeded quickly in putting their government machinery in order, based upon principles of democracy and parliamentarism. And since there was no anarchy, there were no pogroms.

Especially significant, however, has been the history of pogroms in Poland. Nowhere else was the ground more favorable for pogroms than in Poland, thanks to the very large number of reactionaries and anti-Semites among the Polish people. And yet, the Polish Government, being in full control of the entire territory under its jurisdiction, quickly quelled these pogroms, under pressure of the general indignation caused by them in Western Europe and the United States. The now historical letter of Clemenceau to Paderewski, demanding that the pogroms be stopped, had its effect. The Polish

Government very suddenly found itself able to suppress the so-called "popular wrath."

I shall not go into the details of the pogroms perpetrated by the army of Balakhovich in White Russia. All the information at hand relating to these pogroms proves that in these cases there was, aside from the anarchy, also the criminal intent of Balakhovich himself, who is a confirmed pogrom fiend.

The greatest calamities, however, befell the Jewish people in Ukraine. Small wonder, for it was precisely Ukraine which became the battle ground of the Red armies and their opponents—the Ukrainian national armies, all kinds of irregular guerrilla bands, and the White armies of Denikin and Wrangel. The authority in the cities changed hands frequently. As for the rural districts of Ukraine, and, generally speaking, all parts of Ukraine not situated near the railway lines, there was all that time a complete absence of central government authority and perfect arbitrariness on the part of various marauding bands who had sprung up all over Ukraine in great numbers.

It is noteworthy that there was not a single pogrom under the Ukrainian Government of the Central Rada nor during the régime of Hetman Skoropadski. The Central Rada had in its ranks representatives of all Jewish political parties and had unanimously adopted a law granting personal—national autonomy to the national minorities in Ukraine. Three special ministries were established to deal with problems affecting Great Russians, Jews and Poles living on Ukrainian soil. The Russian Black Hundreds and anti-Semites temporarily

subsided. That was the period of the so-called "bloodless revolution."

The first invasion of the Bolshevist hordes did not last very long. The German-Austrian armies quickly swept the territory of Ukraine clean of the Red armies and restored (February 1918) the authority of the Ukrainian Central Rada. Soon after that, in the spring of 1918, however, the German Army Command in Kiev dispersed the Central Rada and established Hetman Skoropadski in power. The government of Skoropadski abrogated the law of the Central Rada granting personal—national autonomy. Nevertheless, this government was not anti-Semitic, either. It derived its chief support from the regular German-Austrian army, which was then occupying Ukraine, and under such conditions, in the presence of a disciplined armed force, there could, of course, be no room for pogroms if the government itself did not want any.

On the whole, it must be said that the period during which the German-Austrian troops remained in Ukraine was the most secure for the Jewish population. Every Jew, on going to bed, could feel certain that no one would disturb his sleep and that he would wake up hale and hearty.

# CHAPTER IX

## POGROMS UNDER THE UKRAINIAN DIRECTORY AND UNDER DENIKIN'S ARMY

BEFORE me is a report on pogroms of the Committee of Assistance to Pogrom Victims of the Russian Red Cross in Kiev. In this report it is pointed out that under the Ukrainian Central Rada, under the Hetman Skoropadski, and during the first two months of the Directory, there were no pogroms. Pogroms began after the defeats of the armies of the Ukrainian Directory by the Bolsheviki. "The severer the defeats and the more precipitate the retreats of Petliura's troops, the greater was the cruelty of the revenge they vented upon the innocent Jewish population, whom they identified with the Communists. The call "Down with the Jews and Communists!", or that other, "All Jews are Communists!" invariably led to pogroms.

For centuries the Russian people were fed by their government on accusations against the Jews, who were held responsible for all the miseries in the world. The dark, ignorant masses believed even the legends about the ritual murders by Jews of Christian children—and only the government "experts" asserted that the Jews killed boys alone. The famous Russian lawyer Karabchevski relates in the first part of his Memoirs ("What My Eyes Have Seen") how his mother used to read the New

Testament to him as a child, and whenever they came to the martyrdom of Jesus Christ, his nurse or maid used to exclaim: "The nasty Jews, they did manage to torture Christ to death!" (p. 23).

The pogroms of the 'eighties, that of Kishinev and that of Gomel, took place only on account of *false rumors and promises of plunder with impunity for three days.* But in the present case the participation of Jews in the Bolshevist movement was not a rumor but a fact, which it was easy to magnify and exaggerate. In general, nothing is more dangerous than those lies or calumnies which are based, if only in part, on fact. On the other hand, the impunity was no longer restricted to three days but became permanent, in the absence of all authority. For what authority could endure in the panic of the retreat before "the armies of Trotsky." . . . Under such conditions a favorable background arose for the plundering instincts of the disorganized parts of the army, for the outrages of the Ukrainians Semesenko and Co.,[1] and for the trouble-makers from the Russian camp of the Black Hundreds, confirmed pogrom advocates, who at the same time were seeking to compromise by means of pogroms the Ukrainian movement.

All this is, of course, not a *justification* but merely an *explanation* of the genesis of pogroms during the Directory.

An entirely different picture is presented when one compares this series of pogroms with the pogroms instituted by the army of Denikin. Here it is no longer a question of a retreat and consequent chaos. On the contrary, the more successful the

[1] Semesenko was mainly responsible for the pogrom in Proskurov (1919).

offensive, the better organized was the propaganda from above and the more violent and deliberate became the pogroms. If in the regular Ukrainian army the decay started at the tail, here the poison of decomposition was lodged in the head. The officers of Denikin openly declared that they were not fighting the Bolsheviki but the Jews. . . . "Beat the Jews and save Mother Russia!" . . .

Of course, the army of Denikin also contained many elements of the marauding type. But the main horror lay in the ingrown anti-Semitism of the leaders who surrounded Denikin, and in their sadistic hatred toward the Jew. I, personally, am not inclined to believe that Denikin himself wanted the pogroms. Even he, with all his anti-Semitism, could not help realizing how pernicious were the pogroms for his own army. But he was powerless here; moreover, he was not inclined to figure as a defender of the Jews.

The second characteristic distinction between the pogroms of the two periods lies in the fact that during the dominance of the armies of Petliura there were, after all, instances in which individuals, or groups, succeeded in frustrating or checking pogroms. Two such incidents are cited in the report of the well known Zionist Temkin referred to later in this book. Two other cases are adduced in the report of the Committee of Assistance to Pogrom Victims. On March 13th, 1919, the soldiers of the Red army instituted a pogrom in Korosten. Hurrying to the spot, the soldiers of Petliura's army, who were then conducting an offensive, checked the pogrom.

When in August the armies of Shkuro and the

Reds, who took turns in arranging pogroms at Bielaia Tserkov, were replaced by the Ukrainian army, it conducted itself quite orderly until it was succeeded by the bands of Zeliony, who at once started a pogrom. Later the place had to live through an attack by the bands of Sokolov, after which the Command of the Ukrainian army once more succeeded in ushering in a short-lived period of order. . . .

In Lubny a pogrom was averted when one hundred men from the ranks of the Ukrainian army met the "pogromshchiks" with arms in hand. Fourteen of these men perished, but the town was saved. In reading this part of the report on Lubny, I recollected that once before, in 1905, a city committee of defense which was formed there also saved this town from a pogrom.

Denikin's army knew of no such facts. There, those "guilty" of such actions in defense of the Jews were *expelled from the service.*

The third parallel, also most unfavorable to the army and government of Denikin, appears when one compares the declarations of the Ukrainian Government on the Jewish question, the most liberal law of personal-national autonomy, and that referring to Jewish communes, with the restrictive measures directed against the Jews under Denikin in the domain of education and of civil and military service. Here, under the Ukrainian Government, attempts to introduce representatives of Jewry into all branches of the State service; there, under Denikin, the exclusion of Jewish officers from the army, of Jewish representatives from the Zemstvos and the City Councils. And yet, how many Jews at

first joined as volunteers the armies of Kolchak and Denikin! How many Jews, reared upon Russian culture, went to die for Russia, which always was a stepmother to them! On the other hand, what a small group of us, Jews, joined at the beginning of the revolution (1917), the Ukrainian movement. . . . To be sure, there was in this fact nothing surprising. The principles of Wilson had been proclaimed so recently, the realization by the Ukrainian people of their right to self-determination was still so fresh and so new, that not only the average citizen but the Jewish intelligentsia itself, with few exceptions, was unable fully to grasp all that had occurred. But a fact remains a fact. . . . Jews were prominently represented in the ranks of the Bolsheviki, and, at the beginning, in those of Denikin's army. The Ukrainian movement, on the contrary, attracted but a handful of Jews.

And, shoulder to shoulder with the Volunteer Armies of Denikin, Yudenitch and Kolchak, marched the representatives of Russian and Jewish capital, the powers of industry. Even after all the pogroms of Denikin's army, the call of his successor, Wrangel, was answered once more by Jewish capitalists and industrialists.

Finally, one last parallel to complete the contrast between the Denikin and the Ukrainian movements. In Kiev, in the presence of Generals Dragomirov, Jr., and Bredov, of Denikin's army, a Jewish pogrom was taking place openly. Nothing of the kind ever happened in a place where the Directory was located, whether it was Kiev, or Vinnitsa, or Kamenetz-Podolsk. The inhabitants of Kiev

know from bitter experience the difference between the two "régimes."

And still, nothwithstanding all these impressive facts, the people abroad know much more about the pogroms of the "Petliurovtsy" than they do about those of Denikin's army, although the latter were both more numerous and more terrible than the former. This can be explained not only by the propaganda of the reactionary "United Russia" groups, who availed themselves of old connections and of their great resources in America and Western Europe, but also by the indubitable fact that the first series of pogroms was bound to attract the most attention, to elicit the most powerful reaction and indignation in the public mind. Such is human psychology, such are the perennial laws of human nature.

The Kishinev pogrom of 1903 made the deepest impression on reading and thinking people everywhere, and in the court proceedings following the pogrom there participated the ablest representatives of the Russian bar. This could be explained by the prolonged absence of pogroms after the 'eighties, the unheard-of cruelty of this pogrom, and the obvious culpability of Plehve and his agents.

Considerable attention was also attracted by the trial of the Gomel pogrom, as it was at that period the first pogrom case heard with doors open to the general public. But when, in 1905, more than three hundred pogroms took place, the sensibilities of the public were already dulled. Western Europe and America did no longer react with the vigor of the days of Kishinev. The cases referring to these pogroms were tried in more modest surroundings

and with the assistance of inconspicuous local attorneys.

When, after a prolonged period, a fire breaks out in a city or town and consumes a considerable number of homes belonging to the poor, a committee for the relief of the victims is at once organized, well-to-do people and society ladies display great energy, and impressive sums are collected. But if this is soon followed by even a greater conflagration, or if an earthquake or flood destroys three-quarters of the town, the impression produced by the later disaster is no longer so deep, and the same persons who in the first instance displayed so much energy are now non-responsive and apathetic.

The pogroms of February and March, 1919, took place while the French were still in Odessa. The telegraph was still functioning, albeit over French wires, the trains moved with relative regularity. But every day the means of communication between Ukrainian towns and cities became less regular, and Ukraine itself became more and more separated from the rest of the world. The news of the pogroms of Denikin's army came through late, irregularly and unsystematically. Equally little is known abroad of the pogroms of the Red army which broke out when its discipline in Ukraine began to weaken, of the horrible acts of Budenny's Red cavalry. As to the pogroms of Wrangel's army, they are known only through rumors even by persons who, like myself, follow events in this field with great care.

It suffices to refer to the pogroms of the various bands, for these mostly consisted of fortune hunters, of adventurers who sought an easy life at the ex-

pense of the unfortunate Jewish inhabitants. The leaders of these bands often changed their colors. At first they would pass as Communists, later as supporters of the Ukrainian movement and some joined hands with Denikin's army.[1] I was told (in the fall of 1919) that on one occasion the chief of bands, Makhno, and perhaps even Zeliony, suddenly issued anti-pogrom proclamations in which pogroms were characterized as "disgraceful."

Common operations against the Bolsheviki, a common front, at times tied these bands to the armies of the Ukrainian Government as well as to those of Denikin. News of even the remotest connection between the regular Ukrainian Army and the irregular bands of Struck and others, would plunge me, personally, into utter despair and precipitated my resignation from the Ukrainian Delegation at the Peace Conference in Paris. On the other hand, it must be remembered that the pitiless laws of war often lead not merely to such purely technical *contacts* (disposition of forces at the front, manoeuvres, etc), but to unnatural *unions*. Was not the union of Republican France with Russia of the days of Kishinev, Plehve and Rasputin a glaring anomaly? Again, did the nations of the Entente disrupt their union with Russia when her regular armies swept like a hurricane across Galicia, killing and plundering Jews on the way?

There is a further psychological trait which sharply differentiates the attitude of ill-informed persons toward the leaders of the Ukrainian move-

[1] In Temkin's report are cited agreements between Denikin's army and the bands of Kazakov, Lazarenko, Zakussilo and Prikhodko.

ment, on the one hand, and toward the generals of the Volunteer Army, on the other.

Denikin, as a professional soldier, who had been a general in the Russian regular army is, *a priori,* assumed to be a reactionary and anti-Semite. But entirely different demands are made upon the writer Vinnichenko, and especially the "bookkeeper" Petliura.[1]

As a rule, persons of "noble" descent, with imposing bureaucratic careers in the background, are likely to impress the average citizen with their glory and splendor to such an extent that they are often forgiven not only daily indiscretions but even the most inhuman crimes against an entire people. It is quite different with people of the "lower" strata and the representatives of the liberal and working professions. They are blamed for the least carelessness, and the severest demands are made upon them. Had Denikin issued a single, albeit belated, declaration, identical in content with those of Petliura and the Ukrainian Government, this would have produced an impression much more powerful and favorable to the Volunteer Army than all the declarations of Petliura. Deep in the hearts of the peoples of Russia still lie the sentiments of serfdom. Every gracious word of the master is appreciated more than the sincere statements of true democrats who have marked their service to an abused people not by the insignia of a general, but by serving prison terms and living the inconspicuous life of a hard-working intellectual.

Never can a whole people play the part of a de-

[1] Petliura did actually serve for a time in the bookkeeping division of the Eastern Transport Company of Moscow. But he was at the same time editing in Moscow the journal *Ukrainian Life.*

fendant. There are no "good" and "bad" peoples, but merely different degrees of development of each particular people. There are more or less civilized and more or less barbarous or ignorant peoples. The more downtrodden the majority of a population in a country, the keener is its resentment against a minority which lives in its midst and has its own religion, its own customs and usages.

I once chanced to live in Lyon, in a small middle-class French family which rented out rooms with board. There also lived a Japanese student of the University of Lyon. His manners, traits, habits, served his French hosts as a favorite subject of ridicule in his absence. In reality, however, he was a truly cultured and intelligent person. Once he invited me for an evening to his room where the Japanese colony of Lyon was gathered, and some of them, having taken a drink or two in excess, forgot my presence and made some jocular comments on European, and especially French, customs.

Toleration and the capacity to understand the naturalness of the differences in the customs of various peoples require a certain level of culture. Such a level could not be reached by those peoples who lived in darkness and ignorance under the yoke of Russian autocracy. In this respect, all the peoples of former Russia, and among them the Jewish people, appear as a natural product of the régime under which they were brought up. We were all grievously mistaken when we thought that with the fall of serfdom the serfs would at once be transformed into real free citizens. The institution of slavery corrupts both parties. The phrase of Ke-

renski about the "revolted slaves" is the best of all he has said in the days of his glory and enthusiasm.

One speaks of the specific anti-Semitism of the Ukrainian, Polish and Rumanian peoples. Again, the question is reduced to the degree of culture among these people, to the relatively greater size of the Jewish population in these countries than in Great Russia, Siberia or on the Don and the Caucasus. And, most important of all,—anti-Semitism thrived best where Jews lived in congested masses within the "Pale."

And, after all, it is attested by many witnesses, including Temkin's report, that the most cruel "pogromshchiks" in the ranks of Denikin's army were not the Ukrainians but the Tchechens from the Caucasus. Besides, Ukrainians constituted but a small part of Denikin's army, which contained also Great Russians, Don Cossacks, etc. This shows again how careful one must be with generalizations.

Even as we, Jews, justly disclaim responsibility for the acts of the Jewish Bolshevist commissars and for the disgraceful actions of those Jews who participated in the work of the Bolshevist *chekas,* the Ukrainian people has a full right to disclaim any responsibility for those who have besmirched themselves by pogrom activities. Suppose there are among the Ukrainian people two, three, five hundred thousand criminal "pogromshchiks," still one may not extend this into a generalization embracing the remaining thirty odd millions of the Ukrainian population. And when we say: "All Ukrainians are pogromshchiks," we become like those who assert: "All Jews are Bolsheviki."

If the number of pogromshchiks and criminals among the Ukrainian people proved to be much greater than that of Jewish degenerates in the *chekas,* there is nothing to do but deeply regret the first case, while we rejoice that cruelty and savagery proved both quantitatively and qualitatively less conspicuous among the Jews than the Gentiles.

"There are no bad peoples," but there are very bad governments and bad laws.

The life of the peasant population in the Russian Empire was regulated by norms which reduced them to a state of almost complete slavery. The right to travel or even to absent oneself from the village—all this required the permission of the authorities. The deliberately slow promotion of education by the ruling classes, primitive methods of farming, heavy taxes and military duties in the absence of civic rights, these were the causes owing to which the majority of the peasantry remained in a position of ignorance and darkness. Those peasants, on the other hand, who went to the cities to seek a living, or who became members of the urban proletariat, gleaned from the civilization of the city mainly its unhealthy weeds.

When autocracy fell, when the army deserted the front and went home, those steel hoops which held together the gigantic wooden barrel called "Russia" burst, and the barrel fell to pieces. Everything that was good, honest and strong in the peasantry held its own and did not yield to the temptations of complete liberation so suddenly realized. On the other hand, all that was savage and criminal in town or country came to the surface, to re-enact the old traditions and sagas of the epic Russian revolts,

of the rebellious bands of freebooters on the Volga and in Siberia, of the Haidamaks of the second half of the eighteenth century. . . . The chief prey of these savage instincts was, of course, the Jewish population, as the most alien in religion, in dress, and in its customs and manners. The landlords, the officials, the police, managed to escape or to hide. Moreover, all they had to do in order to escape detection was to don the modest dress of an average urban inhabitant, workingman or peasant, and to leave their accustomed places of residence to be swallowed up by the boundless sea of the populace. The peaceful and defenseless Jewish population was differently situated. His external appearance, his accent, usually sufficed to reveal the Jew at a glance. This was very convenient and simple, and made the task easier for the "pogromshchik." . . . The thirst of blood, of plunder, sexual licentiousness, sought justification in the fact that the Jews are both aliens and Bolsheviki. When the armies found themselves in Galicia, there was a new possibility to contrast the "own" with the "foreign." The "own" was the army, the "foreign," the Galician population. And now came new attacks on villages and towns, and Ukrainians violated and plundered other Ukrainians, only this time Galician ones, who were once subject to Austro-Hungary.

In my Russian book, "Ukraine and the Policies of the Entente" (published by the Efron Company of Berlin, Germany, in 1922), I went into a circumstantial analysis of the question as to how far the Ukrainian Government of the Directory period

might have been responsible for the pogroms of 1919. A careful study of all the available data leads one to the conclusion that the Directory during the first three months of its rule failed to show sufficient determination in combating Jewish pogroms. In its enthusiasm for the main object of the struggle—for national self-determination and independence—the Directory was bent primarily on the formation of a powerful army, without any restrictions as to the type of recruits. The result was that there were found in the ranks of that army, side by side with genuine, fine Ukrainian patriots, quite a few elements of the most undesirable Black Hundred type and even criminal and other dangerous characters.

At the start the Directory hesitated to take drastic measures against these bandits and hooligans, fearful lest the ranks of the army be disorganized by their elimination. But in April, 1919, an active fight was started against the pogroms, the perpetrators were being brought before field-courts-martial, and a special inspection service was inaugurated to watch over pogrom agitation and take preventive measures. I had in my possession documents proving that there were even death sentences carried out by order of the military tribunals against pogrom perpetrators, and I cited those documents in my Russian book referred to above.

On the other hand, there are many positive aspects to the general democratic outlook and attitude towards Jewry on the part of the Ukrainian National Government, and this should be remembered, and credit given where credit is due.

How utterly different was the attitude of the leaders of the "Volunteer Army" of Denikin and his fellow generals! Here, we see nothing but the sombre clouds of blackest reaction and intolerance. Not a single ray of light in this medieval darkness, not an instant of sunshine in these black clouds from which horror and misery kept raining in torrents upon the unfortunate Jews!

Several years of my life during which I participated in political and pogrom cases have accustomed me to appear as the accuser of the government and its agents in matters of reactionary and anti-Semitic propaganda. The accusations had to be made under adverse conditions, for the police and the entire mechanism of investigation, and the court itself, were in the control of the same government which everywhere had its faithful servants and its obedient knaves. And all the revelations which we, political defenders, made put us in the category of persons suspected by the government, transformed us into targets for all sorts of persecutions and vengeance on its part. On the other hand, we thus developed the habit to accuse the government not abstractly, but with facts in hand, not privately, but publicly, in the presence of its own representatives, the prosecuting attorneys. And we struck out not at one who lay prostrate, but at a powerful governmental apparatus which had in its power the fate of the entire population of an enormous empire and was able at any moment to crush us.

Different is the present position of those persons who were at the head of the Ukrainian movement. They can be criticized and accused with impunity of

any vice and crime by any one who chooses to do so. But very few realize that the national Ukrainian Government was not strong enough to fight against its several foes: Bolsheviki, Denikin's Volunteer army, Haller's Polish army, and, at the same time, to maintain law and order even within the limited territory nominally subject to it during the summer and autumn of 1919. Denikin's army was supported by England, while Haller's army was munitioned and equipped by France, being, in fact, the creation of the French General Staff. The national Ukrainian army, on the other hand, poorly equipped in every respect, had to face the guns of the mightiest Entente Powers. This is why, however painful the memory of the martyrdom of the Jewish people during the last years, however one's soul may be filled with indignation towards the henchmen and murderers, one must abstain for the time being from dangerous generalization and sweeping accusations of the entire Ukrainian people, its leaders and representatives. Then also, we Jews will earn the right to demand from other peoples that they should not generalize the crimes of individual Jewish commissars, and should not shift to the entire Jewish people the responsibility for acts of which only a small part of it is guilty.

When normal conditions of life once more return, when the legal apparatus with all its guarantees of justice will be working again, there will be no mercy shown by the old and tried fighters for truth and justice to those who have besmirched their hands with the blood of pogroms, either by direct participation or by inciting and sympathizing with

them. Only then, with facts in hand, not from behind a corner, but face to face with the enemy, will it at last become possible to disentangle all the details of the pogroms, to reveal their true sources, and to separate the guilty from the innocent.

## *APPENDIX A*

On March 11th, 1919, Arnold Margolin sent the following communication to the Minister of Foreign Affairs of the Ukrainian Government, Mr. Matsievich:

"The heavy, responsible task which rests on all members of the government is now further complicated by the tragic fact that the Jewish pogroms do not cease, and by the realization that the administration has proved powerless to check the terrible violence and murders which took place in Proskurov, Ananiev, etc. I well know that the government does all that is in its power to fight the pogroms. I also know that the helplessness of the government in this struggle weighs heavily upon all its members and deprives them of that spiritual balance and that calmness which are so indispensable for fruitful labors for the welfare of all the peoples of Ukraine. My own sufferings as a Jew, however, are further intensified by the consciousness that the results of the anarchy from which the other elements of the population suffer in the main only economically, prove dangerous and fatal to the very existence of the Jewish people.

"In view of the above circumstances I do not feel capable of continuing my labors as Associate Minister of Foreign Affairs and I therefore request to be permitted to relinquish the above named post."

(Signed) A. MARGOLIN

ODESSA, MARCH 11, 1919.

## *APPENDIX B*

## ORDER

to the Troops of the Active Army of the Ukrainian Democratic Republic, No. 77, April 13th, 1919:[1]

The Black Hundreds, Bolsheviki, band leaders, and common robbers are conducting among our Cossacks an active agitation for the plundering and annihilation of the Jewish population, which is alleged to be responsible for all that is happening among us, in Ukraine, as well as in the realm of Moscow. These elements are striving by hook or crook to institute Jewish pogroms in Ukraine in order, under their cover, to perpetrate their black deeds. The Black Hundreds and the marauders think that the occurrence of pogroms and of other forms of anarchy will hasten the arrival in the Ukraine of the Allies, who will enthrone a new Tsar who will return to them their old estates; while the Bolsheviki and various plunderers and robbers simply crave to fill their own pockets, and, while plundering the Jews, they sink their claws also into others who happen to fall into their hands. Such persons try to penetrate into our army and, when successful, pretend to be sincere, and then they spur on the credulous defenders of the people to commit disorder, in this way to throw the noose over the head of our free Ukrainian people.

Cossacks! All those who wish well to their fatherland, who do not want to see among us foreigners, Chinese, Letts, plundering Bolsheviki from Moscow, and others, and who do not want a Tsar or another Hetman, but are determined that our people shall be free and republican—all those must remember that anarchy and especially the pogroms inflicted on the peaceful population will not further the attainment of

[1] The above order is typical of many other such documents issued by the Ukrainian Government and Army authorities at that time.

their goal. Anarchy is more dangerous than the armed enemy who moves upon us from all sides. Remember, Cossacks, that through the pogroms may perish our power, for the death of innocent victims during the pogroms will provoke wrath against us and the numbers of our enemies will multiply. The Cossacks task is to conquer the enemy, whosoever he may be, not to fight women, children, old men, against whom you are being incited by our enemies, in order that our people and our sovereignty may be besmirched in the eyes of the world. Henceforth I command you to arrest all persons who will be discovered conducting pogrom agitation among the Cossacks, and to bring them before the Extraordinary Tribunal. Suppress on the spot all attempts at pogrom agitation in the military detachments.

*The original is signed:* For the Regular Ataman, Acting Ataman Melnik. For the Chief of Staff of the Active Army, Ataman Sinkler.

# CHAPTER X

## TEMKIN'S REPORT ON POGROMS

BEFORE the Conference of Jewish Organizations at Karlsbad in 1921, Rabbi Dr. V. Temkin, the well known Zionist, read a report on the status of the Jews in Ukraine and the pogroms of the epochs of the Directory and of Denikin. He asserted that of all pogroms that had taken place in Ukraine, the most horrible and cruel were those perpetrated by the Volunteer Army of Denikin. The Jewish masses were declared outside the law. "The new administration," justly notes Temkin, "brought with it a pronounced *official anti-Semitism.* It annuls the civil and national equality ushered in by the revolution, and it removes Jewish officers and privates from all fronts, notwithstanding the conscientious fulfillment of their duties."

Further, Temkin cites a number of orders by chiefs-of-staff, commanders of cities and other administrative agents, referring to the elimination of Jews from the army, decrees that Jewish representatives be excluded from official rural and urban institutions, prohibitions to defend Jewish interests in the daily press, and instances of expulsion from service of *all who permitted themselves to express disapproval of or protests against Jewish pogroms.* Renewed are also the restrictions upon the rights of Jews to receive secondary and higher education, the "numerus clausus," etc.

When a Jewish delegation in Odessa presented a petition to Denikin that he issue a declaration guaranteeing the civil equality of Jewry, his retort was a refusal. "He supported the activities of pogrom perpetrators and remains responsible before history for the shedding of Jewish blood, on a par with the actual perpetrators of pogroms," such is the verdict pronounced by Temkin over Denikin.

Most valuable in Temkin's report are his references to the existence in Denikin's army of a special press organization, operated with the direct assistance of old Russian Black Hundred publicists. Thus, at the head of the Kiev "Osvag" [1] we find the notorious A. Savenko. . . .

The anti-Semitic campaign was conducted in the official military organ "Zaria" ("The Dawn"), under the direction of the Supreme Military Command.

But the most startling facts recorded in Temkin's report are those referring to the direct participation of officers in plunder and extortion. One of the commanders openly declares: "We have come not to fight the Bolsheviki but to make war on the Jews." Among the soldiers, the *Tchechentsy* displayed the greatest cruelty.

The Fastov pogrom, according to Temkin, went beyond anything so far recorded in the history of modern pogroms.

I shall not recount the horrors related by Temkin about the Fastov pogrom, nor dwell on a comparison of the cruelties perpetrated there by Denikin's army with those of Proskurov and Balta. It is of no consequence how numerous were the victims and

[1] The press organization.

how refined the cruelties in one or another case. What is important is—Who was perpetrating the pogroms and what were the motives of the instigators? I shall merely borrow from Temkin's report the statement that all valuables, pianos, furs, silver, diamonds, were carried away by officers and the ladies who accompanied them. . . . One of the officers took a ring from the finger of Potievski, a Jewish resident of Fastov.

In Kiev all the pogrom horrors were enacted under the leadership of army officers. "Osvag," "Kievlianin" and "Evening Lights" invent all sorts of accusations against the Jews and are triumphant over the occurrence of pogroms. . . . In the Podolsk Province, where Denikin's army went after leaving Kiev, medieval tortures are resurrected. Jews are burned alive with kerosene and oil. This is attested by eye-witnesses. Temkin gives the names of the colonels who conducted these pogroms.

Appended to Temkin's report are copies of documents, attesting the direct responsibility of many high officials in Denikin's army for the persecution of Jews and the organization of pogroms.

One is particularly astounded at the system of provocation and the Jesuitical methods revealed in these documents. One could not have imagined what low and beastly instincts were harbored by those who constituted the very bulwark of autocracy. Refined, abnormal, sadistic cruelty is displayed by some of these creatures of the old régime; together with their ladies, they avail themselves with impunity of the opportunity to torture the Jews. I shall only cite the most characteristic passages from Temkin's documents.

On January 17th, 1920, the commander of the Bielgorod Regiment reports from Tikhoretskaia to the commander of the military district at Novorossisk that in the last reinforcements there are many Jewish soldiers who tell their Russian comrades of "the evils accruing to the army from the pogroms of Jews and foreigners." The commander discerns in this symptoms of "Bolshevik propaganda," adding that ten of these Jews have already been ordered shot by the Military Field Tribunal, under his instructions. In conclusion, he requests that his regiment be spared any further consignments of Jews.

On December 20th, 1919, the Supreme Military Staff of the Odessa district issued to the commissioned officer Simon Galstein a certificate to the effect that his name, in view of his Jewish descent, has been stricken off the list of mobilized officers. "In accordance with orders of the Commander of all Forces of South Russia, the above named Galstein will be again mobilized—as a private soldier."

The chief physician of the second hospital at Taganrog secretly writes to his subordinate physicians that they should admit to the hospital no Jewish privates and officers, *under the pretext of lack of space.* The chief physician explains this order by a reference to an instruction he had received from the High Command that the crowding of the hospital by Jews should not be tolerated, in view of the bad influence of the latter upon the wounded soldiers.

The commander at the station Sinelnikovo received a telegraphic order signed by Mai-Maievski to the effect that he be kept informed daily by

wire of the number of dead Jews in the trains which pass through his station. He insists that all protests on the part of Jews against these murders should be strictly suppressed.

The same Mai-Maievski, by order of the High Command, sends a sinister wire to Kremenchug, Poltava and other cities, with orders that "the offensive should be delayed and all efforts made that cities with large Jewish populations should first be visited by the troops of Grigoriev, Petliura and the Reds."

A circular order of December 22nd, 1919, from the Director of Propaganda for the District of the Don Army, Kalashnikov, prescribes, *inter alia,* that Jews should be relieved of all posts occupied by them, as they "represent an element shirking military duty and impeding the liberation of Russia from the foreign yoke."

In his report of August 12th, 1919, the Commissar of the Ekaterinoslav Police (3rd District) informs the Governor of Ekaterinoslav that the Jews on certain streets scream at night to *simulate attacks upon them by Cossacks;* in reality, these screams are to serve as signals to the Reds, whose positions are located in the neighborhood of the city; the screams are intended to mean that the Volunteer Army is disintergrating and giving itself up to plunder. "This is done in order to encourage the Reds and to facilitate their offensive." The Commissar further notes that he has already taken measures that these screams be stopped, having communicated information to the Military Field Tribunal about certain Jews *suspected* of Bolshevist

tendencies, and that the *guilty ones* have already been arrested.

It is worthy of note how the *suspected* in the very next line become the *guilty*.

On October 25th, 1919, General Korvin-Krukovski, in his order to the troops, relates that, when his regiments were leaving Ekaterinoslav, they were fired at from the windows of Jewish houses, with the result that many privates and some officers were killed. "The houses from which the shots were fired were noted." The general orders that during the next occupation of Ekaterinoslav these houses should be energetically bombarded and recommends that all men resident in that quarter should be subjected to the severest penalties. In addition, he promises his "brave soldiers" that "they will be permitted for three days to search all Jewish quarters for the criminals who shot at my soldiers and officers."

Here, finally, is a sample of the administration of justice: a verdict of the Military Field Tribunal at Varanev, dated October 22nd, 1919.

The chairman is Captain Konovalov, the three members of the court are three officers. The defendant is Sura Weissman, who is accused of having enticed to her apartment a soldier of Konovalov's detachment, where she murdered him with a kitchen knife. Having wiped off with her shirt all traces of blood, and assisted by unidentified persons, she carried the corpse into the street, where it was discovered in the morning of October 8th. As the detachment to which the deceased belonged had left town at dawn, the corpse remained unidentified.

Having taken into consideration these circum-

stances, the court heard the explanation of the defendant—that the blood on her shirt came from menstruation; it also heard the conclusion of the physician of the Army Corps, Dr. Krivoshein, who confirmed the testimony that the blood on the shirt was menstrual. Thereupon, the court declared the defendant Weissman *guilty of the murder of the soldier, whose name could not be ascertained, and condemned her to capital punishment.* The verdict was read to the defendant one hour later and in another two hours it was carried out.

Follow the signatures of the chairman and of the members of the court.

The most startling document in Temkin's collection, however, is a letter signed "Stepan," written on the stationery of the Adjutant of the cavalry detachment of General Shkuro. The letter reads as follows:

"My dear Kostia:—Come to our rooms this evening at seven to have a cup of tea with us. We intend to show you something very interesting. Denis has picked up a small Jewish boy whom he calls "The Commissar" and with whom he intends to have great fun this evening. He has prepared something in the nature of a crown, and a bamboo stick. He will place the crown on the head of the little Jew and will press it down with the stick until the skull of the Jew bursts. Is this not entertaining? I can imagine how the Jew boy will cup up! By the way, Irina Petrovna and Anna Nikolaievna will also be present. I count on you! . . ."

Before this refined, "intellectualized" sadism the exploits of the "wild Ukrainian Zaporozhtsy" and their kind pale into insignificance!

# PART II

# THE BEILISS RITUAL TRIAL

# CHAPTER XI

## THE INSIDE STORY OF THE BEILISS CASE

YEARS have passed since the day when Mendel Beiliss was seized by the minions of Minister of Justice Shcheglovitov and his obedient henchmen in Kiev, Prosecuting Attorney Chaplinski and others, and thrown into prison. The case of Beiliss has been one of the greatest tragedies which have fallen to the lot of the Jewish people during the thousands of years of our history. Destiny saw fit to make me a witness of this drama from the very beginning. Part of the things I know has already been told by me in the course of my testimony at the trial in the Kiev Circuit Court. There are, however, many facts of which it was impossible to speak, not alone during the trial, but even later, as long as the Russian Empire remained under the rule of the Shcheglovitovs, Rasputins and Protopopovs.

Then came the great Russian revolution and swept the old, disgraceful order to oblivion. The dreams of many generations of Russia's sons had at last come true. We had at last thrown off the yoke of bondage. Particularly joyous were the first days of the revolution for us, Jews, who had been the step-children of old Russia. We were eager to take part in the creative work of the country, and we believed that everyone of us was duty-bound to devote himself whole-heartedly to the cause of bulid-

ing a new democratic republic upon the ruins of old Russia. There was no time at such a period, of course, to think about writing recollections or memoirs.

The bright, sunny days of the first period of the revolution, alas, proved short-lived. A somber and long period of anarchy was approaching. Civil war, terrible Jewish pogroms, all these things shook to its very foundations the existence of the millions of the Jewish population on the vast expanse of the former Russian Empire. Hundreds of thousands of our brothers and sisters perished during the pogroms and from hunger and cold. Most of those who survived were doomed to eke out a miserable, half-starved existence. Again, this was no time for writing memoirs.

And now fate has cast me away in New York, in far-away America. A vast ocean, huge distances, separate me from my native city of Kiev and from direct contact with the realities of life in devastated and impoverished Eastern Europe, where the great majority of the Jews live. This psychology of an emigrant separated for a long, indefinite period from his native land, quite naturally leads my memory back to the days that were. And there arises a desire to draw balances and to set down in writing the things I have seen and suffered.

I came across in the New York Public Library a Russian stenographic account of the Beiliss case. I must say that this report contains some slight errors and omissions. On the whole, however, it gives us a fairly correct picture of the trial of Beiliss. After reading the first pages of this judicial chronicle so well known to me, I felt as if I were

living through it once more. My weary heart was all in a flutter of excitement again. One would think that after all the blood and tears witnessed these years one would feel rather cool about a case like this. But the fact is that a feeling of profound indignation stirs the reader on beholding once more the picture of this brutal and terrible outrage against a whole nation and its religion, this cynical perversion of justice for the sake of personal careers or fiendish hatred for the Jews.

In my story of the Beiliss case I do not intend to dwell on all the revolting details of the trial which are matters of common knowledge. There is no need for me to revert to an analysis and refutation of the "proofs" that had been marshalled against Beiliss. Neither do I intend to speak of the silly, medieval legend about Jews using Christian blood. These questions have been fully and exhaustively illuminated in the excellent speeches of Beiliss' defenders in court. All these things constitute the *official side* of the Beiliss case.

There are, however, let me repeat it, many things about which we were compelled at that time to remain silent.

Today we may with a clear conscience lift the veil from the case of the murder of Yushchinski, and tell something about the splendid part played in this case by the investigating magistrate, Mr. V. I. Fenenko; about the real purpose of the private investigation which was going on parallel with the official one; about the attitude of the Jewish population of Kiev towards this case; and about the actual murderers of Yushchinski, etc. I must, however, preface all this with a brief description of the cir-

cumstances under which the corpse of Yushchinski was discovered, and of the events which followed.

## I

On March 20, 1911,[1] some boys playing near a cave situated in a very picturesque spot of Kiev, at a distance of about a thousand feet from the street, accidentally discovered the body of Andrew Yushchinski, the illegitimate twelve-year-old son of Alexandra Prikhodko, the wife of the workman Luka Prikhodko, employed in a book bindery.

Andrew Yushchinski had left the house eight days prior to this date, i.e., March 12, early in the morning and never returned. At the feet of the corpse in that cave was found lying a leather belt, and above the head of the unfortunate boy, in a small hole in the wall, were found five school copy books. On the belt and copy books was the following inscription: "A. Yushchinski, pupil of the preparatory class."

The number and the nature of the wounds covering the body of Yushchinski left no doubt that the boy had not lost his life in an accident and that in this case there could be no talk about suicide nor about any unintentional killing as the result of a fight. It was obvious that a deliberate murder had been committed. There were no traces of blood to be found in the cave. And, on the whole, the position of the corpse and the appearance of the cave pointed to the boy having been killed somewhere

[1] The dates will be given throughout these pages according to the old Russian style, which was thirteen days behind the new, or American calendar.

else and having been brought to the cave and left there after the murder.

At first the Kiev population took great interest in this mysterious murder. The newspapers reported that suspicion had fallen on the mother and step-father of Yushchinski. Later it became known that the local Black Hundred representatives were spreading the rumor that this murder had been committed by a Jew "for ritual purposes." During the funeral of Yushchinski some Black Hundred organization even went so far as to distribute proclamations maintaining that Yushchinski had been killed by the Jews. And the mother of Andrew Yushchinski received by mail a letter with a similar story. These rumors about the ritual character of the murder also found their way to the columns of that famous organ of Russian reaction, the *Novoie Vremia,* not to mention such Black Hundred newspapers as the *Zemshchina, Russkoie Znamia,* etc. Nevertheless, the Jewish population of Kiev felt no particular alarm because of these rumors, and no one at that time foresaw what a terrible drama for the Jewish people was to grow out of the killing of Yushchinski.

The year 1911 saw Russian reaction in full blast. The Jewish population had become so used to all kinds of slander, calumny and baseless accusations on the part of the Russian reactionaries and Black Hundreds that they paid no further attention to this vile insinuation. In particular, the charge that the Jews were guilty of practising ritual murder was an old one, which the Black Hundreds were trying to resurrect almost every time there was a disappearance or murder of a Christian boy or girl.

Already within a few days after the discovery of the corpse, Yushchinski's mother was arrested. Although she was soon released, the impression generally prevailed among the population that the boy had been done away with by members of his own family. The authorities were carrying on their investigation at first along this line. At the end of June they arrested the step-father of little Andrew Yushchinski, Luka Prikhodko, and his uncle, Fedor Niezhinski.

Both the Ministry of Justice and the Ministry of the Interior betrayed from the very outset an unusual, extraordinary interest in the case of Yushchinski. The investigation was entrusted to Vasili Ivanovitch Fenenko, investigating magistrate for important cases, under the direct supervision of the Prosecuting Attorney of the Provincial Supreme Court, Chaplinski. A prominent official from the Ministry of Justice, Mr. Liadov, was especially assigned to attend the case in Kiev. The Ministry of the Interior demanded from the local authorities "vigorous detective work." Alas! We did not know yet at that time that this extraordinary interest on the part of the two ministries was due to pressure from the Black Hundreds and other reactionary circles, and that Shcheglovitov himself was standing at the head of a band which charged the murder of Yushchinski to the Jews. We assumed at that time that the government was simply taking vigorous measures to clean Kiev from the criminal elements, in view of the impending visit of Nicholas the Second and his ministers in August 1911, to celebrate the unveiling of a monument to Alexander the Second. As for the members of the bar and,

especially, Jewish lawyers, the fact of the case having been turned over to Mr. Fenenko created a most favorable impression.

Fenenko enjoyed a solid reputation as an honest, fair-minded man and independent and incorruptible magistrate. His success in solving the mysteries of puzzling and very complicated crimes had earned him the reputation of a very able investigating magistrate, and we all felt certain that the version charging the murder of the boy to members of his own family, for the purpose of laying hold of an inheritance supposed to have been left him at the death of his father, was the correct one, in view of the arrest of the mother, step-father and uncle of Andrew Yushchinski. There was no doubt that Fenenko was on the right track and that the actual murderers would soon be found and brought to justice.

Towards the end of July 1911 a report appeared in the Kiev newspapers to the effect that a certain Jew, Mendel Beiliss, an employee of the Zaitsev brick yards, had been arrested without a warrant because of some misunderstanding about his right of residence in Kiev. At that time nobody paid any attention to this newspaper report about a case which was so common in the practice of the police authorities of Russia of that period. Soon, however, there was a report that Beiliss had been transferred from the police station to the prison and that his arrest bore some relation to the case of the Yushchinski murder. Nevertheless, this time again the Jewish population felt confident that Beiliss was merely arrested by mistake and that he would soon be released.

Besides, the chief interest of the population of Kiev at that particular time was devoted to the celebration of the visit of Nicholas the Second and the other distinguished visitors. The city was buried under a profusion of flowers and ablaze with fireworks. Immediately following the unveiling of the monument of Alexander the Second, a gala performance was given at the Kiev Opera House in the presence of the Tsar, the Imperial family and the members of the government. During this performance Premier Stolypin was mortally wounded. This happened during the night of the first of September and, of course, for the time being it overshadowed all other events, the Beiliss case among them. The Jewish population of Kiev was greatly upset by the fact that Stolypin had been shot by a Jew, D. Bogrov, and was awaiting in fear and trembling cruel revenge, pogroms and persecutions by the Black Hundreds. However, the presence of the Tsar himself in Kiev excluded the possibility of riots. Such was the old official tradition of maintaining the prestige of the Tsar.

This time all the bitterness of the reactionaries and Black Hundreds against the Jewish population assumed the form of refined cruelty: it was decided to bring the whole Jewish race, in the person of Beiliss, before the bar of justice. We, Jews, however, learned of this diabolic plan considerably later.

Soon after the killing of Stolypin I was visited by the wife of Mendel Beiliss, accompanied by his brother Aaron Beiliss, and asked by her to undertake to free her husband from prison. I explained to Mrs. Beiliss that the Russian law admitted no defense while a case is still in the stage of police

investigation or preliminary investigation.[1] Acting in the conviction commonly shared at that time, i.e., that the misunderstanding with Beiliss' arrest was bound to be cleared up within a few days, I attempted to calm his wife and brother. Nevertheless I decided at once to call on Fenenko and, as an acquaintance, privately to discuss with him this strange arrest of Beiliss.

My first interview with Fenenko took place about the middle, or perhaps the end, of September. Upon learning the object of my visit, Fenenko said he was very glad to see me, since he felt that he was in urgent need of informing Jewish public opinion, were it but privately, about his own attitude toward the case of Yushchinski. Having absolute confidence in my discretion, Fenenko asked me to enlighten the Jewish leaders concerning his actual part in the arrest of Beiliss. Then Fenenko told me in detail what a tremendous agitation the Kiev Black Hundreds had been carrying on against the Jews and how the Prosecuting Attorney of the Provincial Supreme Court, under the influence of the student Golubev, Rosmitalski and other Black Hundred members, had proposed to him, verbally at first, to charge Beiliss with the murder of Andrew Yushchinski. Fenenko categorically refused to carry out this verbal instruction of Chaplinski. Chaplinski then sent Fenenko an official written order to charge Beiliss with the crime. It then remained for Fenenko either to submit or resign. Fenenko happened to be sufficiently well situated, and did not depend upon his position. He owned

[1] The backward Russian legal procedure permitted the defense to come in only after the accused was turned over to the court for trial and had been handed the act of indictment.

some real estate, and material considerations would not have been able to hold him down to his position. He understood, however, that his resignation was liable to affect the case very detrimentally. There would immediately have been found in his place a more tractable and subservient magistrate, who would become a blind instrument in the hands of Chaplinski, Rosmitalski and Golubev. Fenenko decided to submit, and complied with Chaplinski's direct order. "The proofs against Beiliss are laughable and absurd," Fenenko reassured me. "I am convinced he will be released within a few days."

The question as to whether Fenenko still continued to hold to his original version of the murder having been committed by Yushchinski's relatives was also discussed, in passing, during this first interview of ours. It was inconvenient for me, of course, to intrude upon the secrets of the preliminary investigation with all kinds of questions, while Fenenko himself had merely uttered a significant phrase to the effect that he thought the murder to have been committed by members of a band of professional thieves and that the investigation should follow in that direction.

However, the days were passing and Beiliss still remained in prison. His unfortunate wife called on me quite frequently, and all I could do was to try to calm and console her to the best of my ability. My successive interviews with Fenenko added nothing important to what I had learned during the first interview.

As I did not care to take upon myself entirely all further responsibility for the measures to release Beiliss, I requested the Kiev committee of Jewish

public leaders that they organize a special commission for aiding Beiliss and his family. The committee was something in the nature of a representative body attached to the Kiev City Council, and at that time it used to be elected on a basis which was very far indeed from democratic principles. It was headed by some of the most wealthy Kiev Jews, such as Brodski, Halperin and others. The representatives of the so-called liberal professions, i.e., lawyers, doctors, etc., constituted only a minority in this committee. In accordance with my suggestion, the committee elected a special commission to assist Beiliss. Among its members were the well-known Chief Rabbi of Kiev, Rev. Aronson; the Jewish lawyers, M. Mazor and I. Makhover; the proprietor of the brick yards in which Beiliss had been employed as a clerk, Mr. Mark Zaitsev; the senior physician of the Zaitsev Hospital, which was situated alongside the brick yard, Dr. I. Bykhovski, and myself. It was to this commission that I reported my conversation with Fenenko.

I believe it was already in October that we decided, in accordance with my suggestion, to invite O. Gruzenberg, the well-known Petrograd jurist, to come to Kiev for a consultation with our commission. The opinion of Gruzenberg seemed particularly valuable to us since he was not only one of the most famous criminal lawyers in Russia, but also happened to have special experience through his connection with the famous case of the Jew, Blondes, who had been charged with the wounding of a Christian girl to obtain blood for ritual needs. At the same time our commission asked the venerable public leader of Kiev, the lawyer D. Grigoro-

vich-Barski (formerly the Assistant District Attorney of the Kiev Supreme Court), to take part in our consultation. He remained ever since the invariable counsel of our Beiliss commission. In November Gruzenberg came to Kiev for several days and gave us a number of highly valuable instructions and advices for the event that Fenenko's optimism should not be justified by the facts and that Beiliss, contrary to the most elementary postulates of human logic and conscience, should be brought to trial. At the same time we worked out, in company with Gruzenberg, one more petition in behalf of Beiliss' wife, asking for a speeding up of the investigation so as to free her husband.

To this period also belong my first meetings and interviews on the Yushchinski murder case with Brazul-Brushkovski [1] whom I had known before as a contributor to progressive Kiev and Moscow newspapers. Brazul-Brushkovski informed me that he had been interested in the Yushchinski case ever since it started and that he was engaged in an investigation of his own to discover the truth. Brushkovski assured me that he had already struck the right trail, which was to lead him to the desired end, and that he was also seeing Vera Cheberiak. "Cheberiak," Brazul maintained, "knows everything," and she had promised him her assistance in bringing the murderer to justice. My own information regarding Cheberiak at this time was confined merely to the fact that she was living near the Zaitsev brick yards, i.e., not far from the place where the body of Yushchinski had been discovered, and that in her

[1] Brazul-Brushkovski has no relation whatever with the Russian reactionary writer Boris Brasol who now lives in New York.

home there used to meet very suspicious characters of the criminal world, such as professional thieves, etc. Generally speaking, I might say that I at first regarded rather skeptically all these private investigations of Brazul-Brushkovski. It seemed to me that he was lacking the experience and professional training which are so necessary in detecting criminals. And when Brushkovski proposed to me the first time to interview Cheberiak and listen to her story, so as to verify his own impressions, I refused to meet her. It seemed to me that it was scarcely possible to place confidence in the stories of that kind of a person. And, besides, at that time I did not yet see the necessity for my personal participation in the investigation. I decided, however, to communicate Brazul-Brushkovski's impressions to Mr. Fenenko.

No sooner had I mentioned the name of Cheberiak in my talk with Fenenko than the latter repeated literally the same words which I had heard from Brushkovski: "Cheberiak knows everything about this case." On the whole, I must say that Fenenko betrayed very deep interest in Brazul-Brushkovski's information. This time Fenenko gave me quite frankly his opinion about Vera Cheberiak. This woman, he said, had never been caught stealing, but he had information that her home served as a hiding place for stolen property and as a den for the most dangerous criminals. Fenenko complained bitterly about the local Black Hundreds terrorizing the police and the detective force in connection with the Yushchinski case. He said that under such conditions his work had become exceedingly difficult. At the same time he

spoke highly of Krasovski, a former Kiev police captain, who had temporarily been placed in charge of the detective work in the Yushchinski case but had later been removed by the Prosecuting Attorney of the Provincial Supreme Court. Fenenko knew Krasovski as a very experienced and capable man in detecting crime, and he felt very sorry that the work of Krasovski had been cut short by Chaplinski.

This time, after my interview with Fenenko, I gained a positive impression that Fenenko considered Vera Cheberiak as being *implicated* in the murder of Yushchinski. While Brazul-Brushkovski saw in Cheberiak merely a witness who accidentally happened to "know everything" about this murder, Fenenko considered her already as a probable *confederate* in the commission of the crime.

Equally clear was to me the tragic helplessness which Fenenko must have felt because of the obstacles to the uncovery of the crime placed in his way by Chaplinski, Rosmitalski et al. Fenenko gave me distinctly to understand that any attempt to bring to light the actual murderers of Yushchinski through the efforts of Brazul-Brushkovski and other independent, unhampered persons, would be highly desirable and timely.

Soon after this very significant interview with Fenenko I had occasion for the first time to see Vera Cheberiak. She had been summoned to give testimony as a witness before Fenenko. I happened to be that day in the building of the Kiev Circuit Court, which also housed the chambers of Fenenko, and it was there that Vera Cheberiak

was pointed out to me while awaiting her turn to be questioned by the magistrate. A small, thin, restless figure. The upper portion of her head and one eye were bandaged. It was sufficient, however, to see only that one eye to gain an idea that she was a dangerous woman. She was casting feverish, hateful looks in every direction, scrutinizing everybody suspiciously. On the same day, if I remember correctly, later in the evening, Brazul-Brushkovski called on me and gave me some new information about Vera Cheberiak which struck me as most important and valuable. Vera had complained to him that magistrate Fenenko had abruptly changed his attitude towards her and that he had been glaring at her "like a wild animal." Brushkovski further told me that Cheberiak had complained of having been badly beaten by a certain Paul Mifle, a former lover of hers, upon whom she had a few years previously, in a fit of jealousy, thrown sulphuric acid and blinded him. For this attack on Mifle she had been brought to trial, but Mifle had at that time given very favorable testimony for her, saying he had forgiven her her crime, and the jury freed the "jealous Cheberiak woman." Now, however, Vera Cheberiak regarded Mifle as the cause of all her troubles and threatened to "fix" him. Her appearance, according to Brushkovski, was at this time very sorry, bearing obvious traces of a cruel beating.

Needless to say, on the very next day I hastened to Fenenko to lay before him all this information which I had gained from Brazul-Brushkovski. It then turned out that Cheberiak had given an altogether different explanation when examined by

Fenenko, in reply to his question as to why her head was bandaged. She told him that she "was sick" and that "this is eczema." As for Mifle, she did not even mention his name.

Fenenko was greatly interested in my information about Cheberiak's beating. I remember as if it were today his joyous excitement caused by my story. He began to pace the room rapidly, exclaiming: . . . "Ah, this is well! . . . If it is true that they are on bad terms, then it is certain that the crime will soon be brought to light . . . it is plain that this is one and the same gang . . . Cheberiak, Mifle and company." And right there Fenenko told me also that a very important woman witness had appeared whose testimony had strengthened his belief that the killing of Andrew Yushchinski had been committed in the home of Cheberiak. Fenenko would not give me the name of the witness and did not communicate the substance of her testimony. I, for my part, of course, found it improper to ask any such questions of him. I never forgot for one moment that I was speaking to a magistrate to whom I was bound to, and in a position, to render assistance with my information; but I never even attempted to ask him anything more than what he himself found possible and useful to impart to me. Fenenko evidently appreciated this loyalty on my part. And it was only later that I learned that this important witness referred to by Fenenko was a neighbor of Vera Cheberiak, Zinaida Malitskaia. I shall dwell on the contents of her testimony elsewhere, when considering all the proofs that had been obtained by the investigation against Cheberiak.

On the same evening, Brushkovski again called on me with additional information stating that Cheberiak was now accusing Mifle openly as one of the murderers of Yushchinski and that she had declared her intention of soon disclosing the whole affair. However, in order to do so, Cheberiak demanded of Brushkovski that he obtain for her permission to go to Kharkov, to see there some criminals to obtain from them important information as to the murder.

Cheberiak's trip to Kharkov and her decision to come out with a charge of murder against Mifle appeared to be highly useful to the defense, especially if we will bear in mind what Fenenko had told me. Brazul-Brushkovski being under the impression, as already stated before, that Cheberiak was merely an accidental witness of the murder, placed great confidence in her statement as to the guilt of Mifle and others. I, however, inclined to the opinion that Fenenko was nearer to the truth and that Vera Cheberiak, in all likelihood, had a direct share in the killing. I was figuring that her implication of Mifle in the case was liable to aggravate the quarrel and their mutual hatred. "Let Vera Cheberiak speak out openly," I reasoned at that time, "then Mifle will not long remain silent and everything will come to light."

Just about that time I had to go to Kharkov on business. I advised Brazul-Brushkovski to grant Cheberiak's request and go with her to Kharkov. I also told him that I would be there on December 7, and that I was prepared to meet Cheberiak, provided that my name be kept from her. This I insisted upon for the reason that I did not care to

be visited later on by Cheberiak in Kiev on her own initiative.

## II

In the preceding section I gave an account of my talks with Magistrate Fenenko, in connection with the information communicated to me in November and December 1911 by Brazul-Brushkovski.

Fenenko continued to maintain that Beiliss could not and would not be brought to trial. He evidently could not at that time conceive to what depth the corruption of some members of the judiciary had sunk during the Shcheglovitov epoch. The fact, however, was that Beiliss was already spending his fifth month in prison. Vigorous measures had to be taken for his release. We could no longer remain with folded hands and wait patiently to see what other outrage would be heaped upon the Jews by the Kiev Black Hundreds and their high patrons in St. Petersburg.

In the course of December I urged our commission repeatedly to greater acitvity. I insisted that we should not confine ourselves merely to the furnishing of proofs to show that the Jewish religion never knew and never permitted the commission of ritual murder. Among the dark, ignorant masses among whom agitation was being carried on in this sense, there would, even in case that Beiliss should be released, still remain some doubt as to the actual murderers. In any case, the Jews would be left "under suspicion."

All my urging and appealing to my fellow mem-

bers in the commission remained futile. Grigorovich-Barski shared my opinion as to the need for abandoning the usual means of defense and seeking the actual murderers. He did not, however, care to insist upon his views, believing that the Jews (which in this case meant our own commission), ought to decide upon the method and the means to be adopted in refuting this vile ritual slander.

It so happened that in our commission, and, generally speaking, at the head of the Jewish community of Kiev, there were very honorable men, but rather indecisive and timid whenever it was a question of showing some initiative in defending Jewish interests against unwarranted acts of the authorities. The commission readily enough consented to publish in the Russian language the book of Bishop Frank and the Papal Bulls in which it was proved that no ritual killings existed among the Jews. The commission was also prepared to invite the best legal talent to defend Beiliss in case he should be brought to trial. To put it briefly, the commission was ready for *defensive* activity, but under no circumstances for an *offensive*.

There was, however, among our prominent Jewish public leaders one man who fully shared my view as to the necessity of undertaking a private investigation parallel with the official one. This was the prominent Petrograd lawyer, Mr. H. B. Sliozberg, an indefatigable champion of Jewish interests, who arrived in Kiev in the month of November. Having familiarized himself with the state of the Yushchinski murder case, he supported me for the next two years in the prosecution of this

case with every means at his disposal. Without his moral assistance and without the cordial sympathy shown me in my work by my Kiev friends, especially the late Dr. M. E. Mandelstam, I should have found myself entirely alone during those December days when I had irrevocably decided to make every effort to find the murderers of Yushchinski.

On December 6 I left Kiev on the night train for Kharkov, without suspecting at that time how important in its consequences the trip of Brushkovski and Vera Cheberiak to Kharkov and my interview with her was to prove. The only thing which I positively expected from this trip of Vera Cheberiak was to have her trust in the power and high connections of Brazul-Brushkovski confirmed. The fact that Brushkovski was taking her at his own expense to Kharkov in a first-class railway car was calculated to impress her greatly and still more to loosen her tongue about the criminal circles in which she moved. Subsequent events proved that I had not only correctly guessed the psychology of Vera Cheberiak, but they even considerably exceeded all my expectations as regards the positive results of this trip to Kharkov in throwing light upon the Yushchinski murder case.

Vera Cheberiak arrived in Kharkov accompanied by Brushkovski and an amateur detective, a certain Vygranov.[1] As I was told afterwards by Brazul-Brushkovski, Vera Cheberiak was better acquainted with Vygranov than with him and showed more confidence in him, and this is why she insisted upon Vygranov going to Kharkov. Pere-

[1] Besides these there arrived in Kharkov on the same train a clerk from the office of the *Kievskaia Mysl*, Mr. Perechrist.

christ, in accordance with Brushkovski's plan, took the trip for the purpose of shadowing Cheberiak, who did not know him. All three stopped at the same hotel. Already in Kiev I had given Brushkovski the address of the hotel in which I intended to stay while in Kharkov. I requested him to stop with Cheberiak in a different section of the city and as far as possible to spare me any close contact with her. I also insisted that Brushkovski should be the only one present during my talk with Cheberiak. In Kharkov, however, Brushkovski informed me over the telephone that Vera Cheberiak was "afraid" to go anywhere without Vygranov. In passing, let me say that Brushkovski had concealed from me the fact that Vygranov had once been a professional detective, and he merely confined himself to informing me that Vygranov was "a decent man," attending some course at the university. There is no doubt but that Brushkovski's motives in this instance were of the best. Personally he had absolute faith in Vygranov and was anxious in every way for me to listen to Cheberiak's story. He was afraid I might refuse to meet her in the presence of a professional detective.

I therefore had to accept the conditions insisted upon by Vera Cheberiak. Soon all three arrived in my room: Cheberiak, Brushkovski and Vygranov, the latter in a student's uniform. Prior to this meeting Brushkovski had told Cheberiak that I was a member of the Kharkov City Council and that I was able to advise her just how to go about "making a clean breast of the whole thing."

I shall not attempt here to reproduce at length everything that Cheberiak told me during this in-

terview. Her story may be found in the official records. For the present purpose it will be sufficient for me to merely note the principal points of her statement which she then made to me.

"I have determined to take revenge on Mifle, who has poisoned my children," began Cheberiak. Then she named the two Mifle brothers, Prikhodko, Niezhinski and Nazarenko, as the actual murderers of Andrew Yushchinski. These men, according to her, were professional thieves. Andrew Yushchinski had been aware of this and they were afraid that he might report their crimes to the authorities. Then followed a description of the cave in which the murder had been committed and an account of the murder itself.

The appearance of my hotel, which was the best in Kharkov (Grand Hotel Prosper), the fine furnishings in my room, everything seemed to have greatly impressed Vera Cheberiak. She seemed to still more believe in the power and high connections of Brushkovski and decided that she would be able to utilize these connections to her own advantage.

Now, what were the plans of this woman, whose cunning was only of a low, primitive nature? This question was answered and became perfectly clear after she had told her story. Now I felt almost convinced that the woman sitting before me was a *confederate* in the killing of Yushchinski, and that, like an animal at bay, she was seeking a way out from the suspicion of Magistrate Fenenko, which had now become obvious to her, by throwing the blame on the others. Still, this was only my

*impression;* no actual proof was as yet in my hands at this period.

On the following morning Brushkovski and Vygranov brought Cheberiak once more to me. Again she began to talk about Mifle and, in general, she repeated practically everything she had told me the day before. It was obvious that I would hear nothing new during this visit. I therefore hastened to cut this talk short and gave Brushkovski to understand that I saw no necessity for further meetings with Vera Cheberiak. That same evening I returned to Kiev.

Back in Kiev, I learned from Brushkovski that Vera Cheberiak, while in Kharkov, had been shadowed all the time by Perechrist, and that she had met none of those criminals she had promised to see. Among these criminals she had mentioned a certain Lisunov, but at that time I still was without the faintest intimation that this man Lisunov was none other but a member of the gang of thieves belonging to Vera Cheberiak's den, and I therefore attached no particular importance to this story of Cheberiak's failure to meet these criminals. The question of whether she had simply lied to us when she claimed that she had to see Lisunov and others in Kharkov, or had purposely changed her original plan, seemed of secondary importance to me. However, the thing that did seem important and essential was the fact that Vera Cheberiak agreed to confirm before the investigating authorities her version of the murder. I had no doubt that Fenenko would manage very well to sift all this material and arrive at proper conclusions.

In accordance with my request, Brazul-Brush-

kovski immediately after his return to Kiev informed Fenenko that Cheberiak had accused Mifle and others of the murder of Yushchinski. Fenenko was greatly interested in Brushkovski's information and examined Vera Cheberiak and one of the witnesses named by her, a certain Petrov. Then followed a special consultation between the Assistant District Attorney Lashkarev and Fenenko with Brushkovski, at Fenenko's residence. Among other things, I asked Brushkovski to mention nothing about my interview with Cheberiak as long as she herself would say nothing about it to the magistrate. This I considered necessary for the reason that I did not care, without pressing need, to give publicity to the fact of my meeting with Cheberiak, as I preferred to remain in her eyes as long as possible the "stranger," as regarding identity and residence.

To our regret, all the hopes of Magistrate Fenenko that he would succeed in having the case against Beiliss dismissed proved vain. On January 5 the preliminary investigation was finished, and on January 10 the case was turned over to the District Attorney, with a rough draft of the act of accusation against Beiliss. It now became obvious that Chaplinski was going to insist upon the indictment being confirmed and that Beiliss was going to be tried. And so it actually happened.

Fenenko thus seemed powerless and Beiliss was to be tried: Beiliss as the defendant, and among the witnesses against him was to be Vera Cheberiak, the wife of a postal clerk, officially designated as being of "unstained character." And she was to tell at the trial anything she pleased, bring-

ing with her any number of false witnesses! Rosmitalski and his gang would now take her under their protection, and teach her what to say "against the Jews."

Under the circumstances inactivity seemed to me nothing less than criminal. I therefore advised Brazul-Brushkovski at once to publish a statement in the papers about the things he had been told by Vera Cheberiak and Petrov regarding the murder of Yushchinski, and whom they had charged with the killing. On January 18, 1912, i.e. two days before the confirmation of the act of accusation in the case against Beiliss, a statement from Brazul-Brushkovski to this effect appeared in the newspapers of the capitals as well as of Kiev. The favorable results of this publication began to tell already on the following day. On January 19th Paul Mifle, indignant over his accusation by Vera Cheberiak, appeared before the Prosecuting Attorney of the Circuit Court and offered testimony showing the criminal record of Cheberiak. On the basis of this testimony Vera Cheberiak was charged with fraud and brought to trial. At the same time she was also shown to have been selling stolen articles. Thanks to the protection of Chaplinski, she remained at liberty throughout the investigation of these charges. Her trial for fraud took place only in February, 1913. The jury found her guilty, and the court, to the great chagrin of Chaplinski and all his cronies, found it necessary to sentence her to imprisonment and loss of certain rights. Soon after this Vera Cheberiak was tried and sentenced to prison also for selling stolen articles. Thus her trip to Kharkov, and the "reve-

lations" made by her officially after that trip, brought her before the bar of justice and into prison.

One important result had already been gained: this "wife of a postal official," whose record was supposed to have been "stainless," was officially branded as a professional criminal. The tremendous significance of this sudden metamorphosis became especially clear after it had been established that Vera Cheberiak's husband had already on December 20, 1911, made an affidavit before the investigating magistrate, charging Beiliss with the murder of Yushchinski. I shall revert in another place to this testimony of Vasili Cheberiak, when I discuss the different "versions" of Vera Cheberiak about the murder of Yushchinski.

Another favorable result of the publication of Brazul-Brushkovski's facts was that it attracted general attention and interest on the part of those people who were anxious to see the murderers brought to justice.

On being handed the act of accusation, Beiliss announced that he had chosen as counsel for his defense Gruzenberg, Grigorovich-Barski and myself. According to the Russian law, the accused or his counsel are to state within seven days after the act of accusation has been handed to the accused whom he wants cited as witnesses and experts. In such an important and complicated case it was exceedingly difficult for counsel to acquaint themselves thoroughly with all the material of the investigation in such a brief period, and it is easy to imagine with what feverish haste we read the

voluminous case during those legally provided seven days.

In accordance with established precedent in former "ritual" trials, the first act of accusation *said nothing about the ritual character* of the killing of Yushchinski. Beiliss was charged[1] with having killed, in complicity with other, undiscovered persons ("Jews wearing unusual dress," as testified by Vasili Cheberiak), Andrew Yushchinski, by causing torture and wounds which drained the blood from the body. And when Gruzenberg asked that the court call in ecclesiastic experts, in the persons of Russia's most famous scholars, with a view to proving the fact that the Jewish religion permits no human blood to be used for any purpose whatsoever, the court *refused* to have experts called. As a reason for this refusal, the court referred to the fact that there was nothing said about any *ritual* character of that murder in the act of accusation.

This game of blind-man's buff and silence about the fundamental issue which had started this whole case of Beiliss, so unworthy of a court of justice, was perhaps caused by a feeling of embarrassment and shame which could not help affecting even those reckless career hunters on seeing the public opinion of the whole civilized world aroused. The open claim that there existed Jewish sects using Christian blood in their ritual still demanded some sort of proof, of *facts* to substantiate it. . . . Anyhow, a trial for ritual murder in this twentieth century was even for Russia too much of an absurd anachronism! Silence was therefore the better part

[1] I regret to be without the text of the first act of accusation, and I have to give the contents relying upon my memory.

of wisdom. Let the members of the jury *feel for themselves, between the lines* of the act of accusation, just what it was all about. Then let them bring in a verdict of guilty for Beiliss. And if Beiliss is the murderer, it is obvious why he should have needed the blood of Yushchinski. For, what other object could there be for him and the "two strange Jews" in killing the hapless youth? . . .

All the evidence collected against Beiliss, with the exception of the testimony of Vasili Cheberiak, consisted only of the contradictory and misleading testimony given by the wife of a lantern lighter, Shakhovskaia, to the effect that she had been told by a certain Volkivna woman that she had once seen a "black Jew" dragging Andrew Yushchinski in broad daylight to one of the kilns of the Zaitsev brick yards. But when this woman was found, she declared that she had never said anything of that sort to Shakhovskaia.

Another thing that the act of accusation referred to was the testimony of the ex-prisoner Kazachenko, who had shared Beiliss' cell in the same prison. When Kazachenko was ready to leave the prison Beiliss entrusted to him a note of the most innocent nature to his family. Kazachenko, however, turned this note over to the prison superintendent and declared that Beiliss had asked him to "poison the lantern lighter (Shakhovskoi) and 'Liagushka' (witness Nakonechny)." Without stopping to consider the obvious, self-evident falsity of this ridiculous accusation by Kazachenko, it is interesting to note that Shakhovskoi's testimony in itself did not contain anything that would

be unfavorable to Beiliss, and, as for Nakonechny, he even gave most favorable testimony.

Vasili Cheberiak, who had first appeared before the investigating magistrate only on the 20th of December, testfied that his late son Genia, a playmate of Andrew Yushchinski, had told him that he had seen Beiliss and two other strange Jews "in unusual dress," chasing after Andrew Yushchinski all over the grounds of the Zaitsev brick yards. The source and real, underlying reason for this testimony will become obvious if we will now compare it with the facts illustrating the actions and the part played by Vera Cheberiak in this affair, as shown by the police examination and investigation.

Already at the cave, when the corpse was discovered, Vera Cheberiak commenced to spread the rumor that Andrew Yushchinski had been murdered by his mother and step-father. Some time later her own son, Genia Cheberiak, testified that Yushchinski's uncle, Fedor Niezhinski, had told him already on the day before the corpse was found, i.e. March 19, that "the Jews have murdered Andrew." There is, furthermore, the fact that towards the end of June Luka Prikhodko and Niezhinski had been arrested. After this there appear on the scene the Shakhovskois, Volkivna, and Kazachenko; and at the end of July Beiliss is arrested.

In the beginning of August died, from dysentery, the son of the Cheberiak couple, Genia Cheberiak, and a few days later also his sister, Valia. Genia at first testified before the investigating magistrate that he had not even seen Yushchinski on March 12, i.e. on the day that Shakhovskoi had seen, about 9 in the morning, both youths, and had

spoken to them; later, however, Genia began to contradict himself.

With the arrest of Beiliss, Cheberiak withdraws from the scene and keeps out of the case.

In November, however, Zinaida Malitskaia appeared before the investigating magistrate. This witness, who lived one floor below the apartment of Cheberiak, testified to having heard suspicious cries and squeals from the boy, and steps, running back and forth, and noise in the Cheberiak apartment on that memorable morning of March 12. After the cries had ceased, Malitskaia had gained the impression as if several persons had carried some object across the room and laid it on the floor. On the same day Malitskaia learned that the Cheberiak children had not been home that day. This was also shown later by other witnesses to have been the case. On March 12 Cheberiak had sent her children "for a few days to grandmother."

After Malitskaia's testimony, Vera Cheberiak got busy. The result was that there appeared: (1) a new version by Vera Cheberiak as to Mifle and the others, and (2) Vasili Cheberiak's testimony against Beiliss, "according to the statement of the late Genia."

For the present I shall confine myself to these facts illustrating the actions of Vera Cheberiak throughout the period from the day that Andrew Yushchinski was killed until the confirmation of the first indictment against Beiliss, nor shall I attempt here to analyze the other evidence against her, collected by Magistrate Fenenko in the course of his investigation (i.e. a dispute between Genia and Andrew, and the latter's threat to report to the

authorities the concealment of stolen things in Cheberiak's home and also the mysterious disappearance of Andrew's overcoat from the Cheberiak home). These *actions* of Vera Cheberiak in themselves were sufficient evidence against her. *It was obvious that she was the inspirer and author of all the different versions regarding the murder of Yushchinski.* And she invented these versions *only in self-defense,* so as to throw the investigation off the right track and deflect the peril from herself and her confederates.

At first Vera Cheberiak conceived the diabolic plan to shift the guilt for the murder onto the shoulders of the victim's own family, but at the same time there offered itself the chance to utilize the version of the Black Hundreds as to the ritual nature of the killing. So she proceeds, through the lips of Genia (as it was alleged), to implicate both Niezhinski and the Jews. And then fate itself seems to favor Cheberiak. Detective Polishchuk, a fellow of dubious reputation, who is in league with the Black Hundreds, fabricates the evidence of Shakhovskaia and casts a shadow on Beiliss, who lives in the vicinity of the cave where the victim's body was found. As a result of this slander, Beiliss is charged with the crime. But already in November, Cheberiak had understood that Fenenko did not believe this version about the Beiliss part in the murder, and that he was suspecting herself and "glaring like a wild animal" at her, especially after Malitskaia had given her testimony. Fenenko is about to solve the mystery of this crime, Cheberiak can see plainly from his examination that he has correctly guessed the motives for the crime,—the

desire of those criminals to get rid of Andrew, who is liable to prove a dangerous witness against certain dark affairs in which they had a hand. In Kharkov, therefore, she herself already points to the *same motive* for the murder, telling the *truth* as far as *this part* of her testimony is concerned. *But as for the rest,* i.e. in telling who were the actual murderers, where the crime was committed, etc., she lies brazenly and accuses innocent people.

At all events, however, she feels the need for insuring herself also in another direction. For this purpose her weak-willed and weak-minded husband, Vasili Cheberiak, is mobilized. He goes to Fenenko and, to the joy of Chaplinski, Rosmitalski and their friends, he offers his outrageous testimony against Beiliss and the "two strange Jews." And here the Cheberiak couple did not hesitate even to drag the name of their dead son, Genia,—a straightforward and naturally honest boy—into the mire, after Vera Cheberiak had failed in his lifetime to induce him to accuse Beiliss. . . .

Not long after the confirmation of the first act of accusation, persecution was started against the lawyers of Beiliss. For the better convenience of counsel in studying the case, I had ordered about a hundred copies of the act of accusation printed at one of the Kiev printing shops. Chaplinski was not slow in ordering counsel for the defense brought to court to answer a charge of *disseminating,* prior to the session of the court, the act of accusation. In proof of the dissemination "throughout the city," some prominent Black Hundred leader (Rosmitalski, if memory serves me right) brought to Chaplinski one copy of the act. Soon, however,

it transpired that he had taken that copy from the government censor, to whom, according to existing law, all printers were obliged to submit two copies of anything printed on their premises, for censorship. The result was that a huge scandal was created for Chaplinski and his fellow Black Hundreds, and the case against counsel for Beiliss was immediately quashed.

The next move of the prosecution was to start a case against me for "disseminating the book of Bishop Frank and the Papal Bulls (on ritual murders)." In this instance, however, the fact of my distributing these publications, which had long ago been issued in several languages in Europe, was also adjudged as "not proven."

A little later Grigorovich-Barski was subjected to a disciplinary trial for having signed a statement, published in the newspapers, from a group of the most prominent Christian public leaders of Kiev, to the effect that the Jewish religion permits no ritual murder. The Kiev Circuit Court held that Grigorovich-Barski had the intention of influencing beforehand, by means of this statement, the future jurors in the Beiliss case. And yet, as has already been pointed out here, nothing was mentioned in the first act of accusation about any ritual character in the killing of Yushchinski. In his explanations to the court, Grigorovich-Barski very acutely pointed out the contradiction of such facts as these: if Beiliss is charged with an *ordinary* and not a ritual murder, what could there be in common between that statement of the Kiev public leaders and the Beiliss case, since the statement was a protest against the vile slander disseminated by the

Black Hundreds charging that there existed a Jewish sect using Christian blood for its religious ceremonial? The court, however, refused to listen to these sound and logical arguments of Grigorovich-Barski, and adjudged him guilty. And to this estimable and much respected public leader and honorable jurist was given a "reprimand." . . .

The indictment of Beiliss caused a storm of indignation among all fair-minded and enlightened elements of the population throughout the country. From this moment on, i.e. the second half of 1912, the Yushchinski murder case was to hold also the rapt attention of the Western European and American press. This abominable slander charging the Jewish people with the use of Christian blood for ritual purposes evoked a series of protests from scholars, writers, statesmen and public leaders in western countries. The highest authorities of both Catholic and Protestant churches also took occasion to refute the old legend which had been disseminated in pagan Rome and Greece against the first Christians, who were accused of killing non-Christian infants for the needs of the Christian ritual.

Particular interest, of course, was taken in the Beiliss case by the population of Kiev. As soon as the names of the lawyers for the defense whom Beiliss had named in his official statement were published, Grigorovich-Barski and myself, living in Kiev, were overwhelmed, day after day, with all kinds of questions and statements by newspapermen, old and new witnesses and a host of other people. We had to explain every time just what a lawyer for the defense was permitted under the

law to say and what not. I ought to mention here that Russian law and judicial practice did not offer any definite rules regulating the right of a lawyer to give out information in defense of his client. The only thing we were certain about was that counsel was forbidden to make public the secrets of the *preliminary investigation* before they become a matter of public knowledge in the course of the trial. But this by no means signified, as many people tried to interpret it, that counsel for the defense had no right *to talk* to witnesses and *listen* to declarations which might serve as material evidence to show the innocence of the defendant. On the contrary, one of the greatest authorities on Russian judicial procedure, the late Justice, Professor Foinitski, quite justly maintained in his writings that the gathering of information, through the questioning of witnesses, inspection of premises, etc., with the object of proving the innocence of the client, or bringing to light extenuating circumstances, constituted even the *duty* of counsel for the defense.

Fully sharing this view of Prof. Foinitski as regards the duties of counsel, I maintained uninterrupted contact with Brazul-Brushkovski, who kept me abreast of all the information that was reaching him. I also found it useful to have some talks with the former Chief of the Kiev Secret Police, Mr. Krasovski, after he had offered his services, as a private individual, to Brazul-Brushkovski, to aid him in running down the murderers of Yushchinski.

I regret to say, however, that the Black Hundreds and the Kiev authorities were keeping

a close watch on my house. At the entrance there were continuously on watch some suspicious-looking individuals. As I did not care to expose the numerous witnesses who were seeking interviews with me to the persecution and revenge of the Black Hundreds, and staggering under the enormous amount of work that had overwhelmed me in connection with this case, I availed myself of the generous offer of two of my colleagues, M. Vilenski and I. Sklovski, members of the Kiev bar, to assist me in working towards a solution of the Yushchinski murder mystery. To these two jurists I now began to direct many of those who came to me with all kinds of statements or questions in connection with the case. They also maintained close contact with Brazul-Brushkovski and Krasovski. The generous and personally very risky assistance lent us by Vilenski and Sklovski contributed greatly to the success of Krasovski's investigations. As experienced criminal lawyers, they were able all the time to assist him with sensible advice and counsel. Another person to take a very active part in our consultations on the steps to be taken in the further investigation was M. I. Trifonov, one of the leading members of the staff of the famous conservative Kiev daily, *Kievlianin*. The late Mr. Pikhno, as well as the succeeding editor, Mr. V. V. Shulgin, notwithstanding the rather anti-Semitic policy of that paper, were indignant at the indictment of Beiliss. They held quite justly that such a fact was a shame for Russian justice, and not for the Jews. This explains the interest shown by Trifonov, and his sympathy with the private investigation of Krasovski and Brazul-Brushkovski.

February, March and April, 1912, saw the greatest effort being made to find the real murderers of Andrew Yushchinski. At the suggestion of Vilenski we sent a special invitation to a certain Karaiev, then living in the Caucasus, to come to Kiev. This was a young anarchist who had served as a political prisoner a term in the Kiev jail and had become very popular among the ordinary criminals who had been serving their sentences at the same time. Karaiev was well liked for his generous attitude even to the ordinary felons and, on the other hand, for his proud and independent bearing towards the prison administration. His contemptuous attitude towards the powers that be, which is but natural in the case of an anarchist, impressed the prison dwellers greatly. But Karaiev's prestige rose especially after he had stabbed to death the warden for insulting him! The jury had brought in a verdict of "not guilty" in this case.

This "hero of the prison" and a companion of his, the student Makhalin, were entrusted with the job of ferreting out among the professional criminals the ones suspected by Krasovski as confederates in the murder of Yushchinski.

These detective operations, going hand in hand with the work of Krasovski among persons closely acquainted with Vera Cheberiak and her intimate affairs, yielded very satisfactory results. By the end of April we were in the possession of evidence plainly implicating Vera Cheberiak, her half-brother Singaievski, Latyshev and Rudzinski as the murderers of Yushchinski.

## III

Among the different versions of the crime which arose during the first stage of the police examination and the investigation, there was also the so-called "Mishchuk version," which had caused quite a stir. The investigation was at first in charge of Mishchuk, Chief of Detectives in the Kiev police. But three weeks later, about the middle of April, 1911, he was already removed from the work by the District Attorney because he had candidly and honestly declared that he took no stock in the ritual nature of the murder. The investigation was then put in charge of Assistant Chief of Gendarmes, Ivanov. In addition, Krasovski was also commissioned to assist Magistrate Fenenko, only to be dismissed in September, at the insistence of the Black Hundreds.

Offended by his dismissal, Mishchuk continued his investigation at his own risk, anxious to solve the mystery of the Yushchinski murder, so as to rehabilitate himself and regain his official position. Unfortunately this rather credulous person had placed faith in the provocative game of certain very dubious characters, who assured him that they had solved the mystery and even discovered the hiding place of the material evidence in the case. At the end of August, 1911, Mishchuk communicated this news to Magistrate Fenenko. A search was then made, and it was found that this material evidence had unquestionably been fabricated and buried on the so-called "Iurkovski Mountain" by these dark characters, who apparently were trying to get a reward from Mishchuk for the solution of the

murder mystery. The motive for the killing this time was supposed to have been the desire of a band of professional thieves (among them Romaniuk, Kucherenko and Tsupenko) to provoke a Jewish pogrom for the purpose of pillage and plunder. It is worth noting that in this unconfirmed version of Mishchuk, too, Vera Cheberiak was named as an accomplice in the killing, as a close friend of Romaniuk and the others. On the whole, it must be said that Mishchuk was at first too much wrapped up in the idea that this crime had been conceived from the very beginning for the purpose of simulating a ritual murder and provoking a Jewish pogrom.

All the evidence in the case, however, and especially the actions of Vera Cheberiak, pointed to the fact that Magistrate Fenenko was much nearer to the truth of the matter in assuming that the object of the murder had been the desire of those professional thieves to get rid of a witness of their criminal exploits.

This theory of Magistrate Fenenko was taken as the starting point for the combined detective work of Krasovski and Brazul-Brushkovski, ever since February, 1912. In the beginning of 1911 it was noticed that burglaries in the city of Kiev had become epidemic, increasing steadily. Then, as a result of Mifle's testimony in January, 1912, it was learned that as early as March 8, 1911, Vera Cheberiak had been arrested on the street, after being recognized by a victim of these burglaries, while trying to sell stolen jewelry, and taken to the police station. There she called herself Ivanova, and then she managed to sneak away from the station. On

the following day, i.e. March 9, the police arrested in a bathhouse four burglars belonging to the band which often visited the Cheberiak home—Lisunov, Modzelevski, Mikhalkevich and Mosiak.

On March 10 a search was made at the Cheberiak home, but it failed to yield anything of value.

Such were the events which happened a few days prior to the murder of Andrew Yushchinski. To this should be added the information obtained, to the effect that Andrew, during a talk with Genia, had threatened to tell all about the stolen property hidden in the home of Vera Cheberiak.

In addition to all this evidence, Krasovski succeeded in learning that the Cheberiak band numbered among its members also the four burglars arrested at the bathhouse on March 9, as well as her brother, Peter Singaievski, and Rudnitzki and Latyshev, who were professional burglars. The latter ones, as well as Vera Cheberiak, were greatly upset by the arrest of their comrades and confederates. A neighbor of Vera Cheberiak's, Catherine Diakonova, testified to Krasovski that she had seen Andrew Yushchinski at the Cheberiak home on March 11, i.e. on the eve of the murder. At 12 o'clock on the following day she had again visited the Cheberiaks and there she had seen Latyshev, Singaievski and Rudzinski dart from one room into another. This positive statement of the Diakonova woman was especially significant in view of the fact that already on the 13th of March, in the morning, i.e. one day after the murder of Andrew Yushchinski, Singaievski, Latyshev and Rudzinski quietly left Kiev by train for Moscow.

Less positive and a little contradictory was the

assertion of Catherine Diakonova that Andrew's mouth had been gagged during the stabbing with a *pillow-slip*. But this detail proved to be a very grave piece of evidence when we consider the fact that in the pocket of Andrew's blouse there was discovered a strip of blood-soaked pillow-slip *and that out of four pillows in the Cheberiak home one was found to be without a slip.*

In conclusion, Diakonova said that there used to be frequent games of "Flying Mail" played at the Cheberiak home. In this game they always used *perforated paper slips.* And in the cave where the corpse was found, there were actually discovered, in the copy books of the victim, *several slips of perforated paper.*

It remains for us to add a few remarks about the actions of Ivan Latyshev. In December, 1911, he was examined by Magistrate Fenenko and testified that he knew neither Cheberiak nor Singaievski. His examination had already been finished and his signature affixed to the protocol when he suddenly noticed Modzelevski being brought into the magistrate's chamber for examination. This sudden appearance of Modzelevski greatly alarmed Latyshev, and he made an attempt to snatch from Fenenko his signed affidavit. The guards, however, prevented that.

In view of these weighty facts tending to implicate Singaievski, Latyshev and Rudzinski in the murder of Andrew Yushchinski, it was decided to call the particular attention of Karaiev, of whom we spoke in the preceding section, to Singaievski, who, at the time of Karaiev's arrival from the Caucasus, was still at large. As for Rudzinski and

Latyshev, they were at this time in prison, for some burglaries they had committed.

Karaiev succeeded in gaining the confidence of the slow-witted, ignorant Singaievski. The latter considered him a confederate in possible future profitable crimes, and a good friend. Karaiev proceeded to take advantage of the fears of Singaievski that he was liable to be dragged into the Yushchinski murder case. The result was that not only did Singaievski cease to deny to him and Makhalin his complicity in the killing, but even went so far as to confide to them a number of details surrounding the act of the murder itself. He discussed with them all kinds of plans for meeting the charge of complicity in the Yushchinski murder. Suspecting mainly the Diakonov sisters of having "denounced" him, he considered it necessary to render them harmless at any cost. . . . Then he informed Karaiev and Makhalin that he and Rudzinski had decided to confess to Gendarmery Colonel Ivanov that they had committed a burglary during the night of the 12-13th of March, so as to establish an alibi, as far as their connection with the murder was concerned. As for that trip to Moscow, that should be explained by their intention to sell there the property looted from the Adamovich store. Being experienced hands in the criminal game, both realized perfectly well that for the killing of Yushchinski they were in danger of being sentenced to 20 years of forced labor, while pleading guilty to burglary meant only about 3-4 years of penal servitude (in the so-called "Arrestantskoie Otdielenie").

Such were the main facts in the evidence collected

by the end of April thanks to the combined efforts of Krasovski and Brazul-Brushkovski. The circumstances of the murder were evidently as follows:

Latyshev, Singaievski and Rudzinski, alarmed by the arrest of their confederates and the house search in the Cheberiak home, came to her house on the morning of March 12 to discuss the situation. Her husband was at that hour on his regular job. It is possible that the idea of doing away with Andrew Yushchinski, as a dangerous witness of Vera Cheberiak's crimes, had occured to these fellows already on the preceding day. Still more likely, however, is the theory that this decision of killing him had been arrived at only on that morning of March 12, when Andrew, as has been positively established by the evidence in the case, was walking with Genia Cheberiak not far from the Cheberiak home. It seems almost certain that Andrew Yushchinski first called at the Cheberiak home for Genia, and that he left there his overcoat and books. The criminals could either await the return of the two lads from their walk, or else they might call them into the house and then find some pretext to send Genia and his two younger sisters away.

The rest is obvious. . . .

As regards the question of who, and when, carried the body of Andrew Yushchinski to the cave, two possibilities could be considered. The first was that Singaievski, Rudzinski and Latyshev were the ones to attend to this, during the night of March 12-13. The other possibility was that the body was at first hidden in the Cheberiak woodshed, and that only after March 14, when Lisunov, Modzelevski, Mikhalkevich and Mosiak were released

from custody, they had carried the corpse during the night to the cave.

The possibility also exists that there were among these professional thieves some individuals having close relations with the lower elements of the Black Hundred organization, and that these were the first ones to start the rumor about Yushchinski having been killed by the Jews. But there were no concrete proofs of such a version, neither in the evidence collected by the official nor in the private investigation. This connection of the band of thieves with the scum of the Black Hundreds could be shown only later on, if the real murderers should be brought to justice and all the circumstances surrounding the crime should be revealed.

Another thing that baffled the investigation was the sudden death, under very mysterious circumstances, of Genia and Valia Cheberiak. The children (all three of them) were suddenly stricken ill precisely at the moment when Vera Cheberiak was arrested and confined at the police station. And although the official autopsy and analysis showed the children to have died of dysentery, the possibility is by no means excluded that they were poisoned as dangerous witnesses by Vera Cheberiak's accomplices, who could have taken advantage of the mother's enforced absence while she was in custody.

Simultaneously with the proofs that had been gathered by the private investigation against Cheberiak and her gang, we received the news that Gendarmery Colonel Ivanov, too, had come across evidence that tended to implicate the same persons in the killing of Yushchinski. Again, as I had done

after that trip to Kharkov, I insisted that it was time to communicate to the authorities the evidence brought to light by the investigation of Krasovski and Brazul-Brushkovski. This time my suggestion was approved by all the members of our commission, to whom I had reported on the results of our investigation, as well as by my Kiev colleague in the defense of Beiliss, Mr. Grigorovich-Barski.

It was then decided that Brazul-Brushkovski should this time send a written report on the evidence collected by him and Krasovski to the official in charge of the police investigation, Colonel Ivanov. At the same time we found it absolutely inadmissible for these facts to be published prematurely in the newspapers, so that Ivanov might not be thwarted in verifying all these facts and continuing his investigation.

On May 6th Brazul-Brushkovski's report was handed to Ivanov.

The opening of the Beiliss trial, at first scheduled for the 7th of April, was postponed, because of certain formalities, until the 17th of May. But at the end of April rumors began to spread that the trial would again be postponed, this time until the fall.

After the report of Brazul-Brushkovski had been handed in, we heard that the evidence submitted by him was being "verified" and that, furthermore, the Beiliss case would be altogether taken off the court calendar and quashed.

The one to feel particularly elated at this turn of affairs during those unforgettable days of May was Magistrate Fenenko. He was informed by Ivanov that the evidence collected by the private

investigation coincided with and complemented the facts brought to light by the official investigation. We all expected from day to day to see the case returned to Fenenko, for him to complete his investigation.

On May 30, contrary to the decision adopted by all those persons who were initiated into the details of the investigation, the *Kievlianin* published the materials collected by Brazul-Brushkovski and Krasovski. Editor Pikhno and the member of his staff, Trifonov, who was initiated into the secrets of the investigation, had apparently arrived at the conclusion that during the 25 days which had elapsed since our report had been handed to Colonel Ivanov the judicial authorities should have found sufficient time to verify all the evidence that had been submitted to them and should have made the necessary arrests. This, however, had not been done. In his indignation Mr. Pikhno on the 30th of May decided to publish the evidence gathered by Krasovski, and he wrote a series of brilliant articles condemning the actions of Chaplinski and his henchmen. This move on the part of a great conservative and anti-Semitic newspaper created a profound impression not only in Kiev and the larger towns, but in practically every corner of the empire. It struck like a bolt out of a clear sky! To think that a paper which had always been considered one of the mainstays of the government and of conservatism, not to say anti-Semitism, should rise up against the outrages and arbitrariness of the Shcheglovitov brand of justice!

After this attack by the *Kievlianin* further silence was, of course, useless. Therefore, on the

day following, i.e. May 31, there appeared in the *Kievskaia Mysl,* the most widely circulated Kiev daily, the text of Brazul-Brushkovski's report, pictures of Vera Cheberiak, Singaievski, Latyshev and Rudzinski, a photograph of the house in which the Cheberiaks lived, etc. The feeling of satisfaction which was caused by these exposures among all classes of the population, with the exception, of course, of Chaplinski and a mere handful of Black Hundreds, is indescribable.

A few days later the District Attorney moved to renew the investigation. A similar motion was submitted by counsel for the defense who were then in Kiev. Somewhat later Gruzenberg, too, forwarded from Petrograd an analogous, explicit and masterly written petition.

In the statement of Brazul-Brushkovski published May 31, direct mention was already made about the fact that he had gone in December, 1911, with Vera Cheberiak to "one of the southern cities." In general, it was decided now to turn over all the evidence to the authorities, as we had full assurance that Shcheglovitov and Chaplinski would have to capitulate and that the case would again have to be turned over to the reliable charge of Fenenko.

Worn out with the exciting and painful experiences and the terrible strain of the work I had to do during those last few months (November-May), I decided to leave Kiev for several months' rest. Just about the same time (beginning of June) I received an anonymous letter in which the unknown writer threatened to "get me" for my work in the Yushchinski murder case. This letter I

forwarded to the District Attorney of the Kiev Circuit Court.

In June there was to be held in Vienna a congress of the Jewish Territorialist Organization. I happened to be one of the founders of this organization in Russia. As recently as in March of that year Doctor Mandelstam, the leader of Territorialism and president of the organization in Russia, had died. His death was a hard blow and irreparable loss to the Jewish people, in general, and our organization, in particular. It was therefore necessary to discuss at the Vienna congress the question of the further organization and activity of the Territorialist movement in Russia. Nearly all the members of the Kiev Central Committee went to Vienna to attend the congress.

I left Kiev, if I remember rightly, about the 4th or 5th of June. A few days later, already in Vienna, I learned that the Kiev Provincial Supreme Court had granted the request of the District Attorney for a renewal of the investigation. It seemed that our fondest hope was to be fulfilled.

Soon, however, came the first disappointment: the expected liberation of Beiliss from confinement did not materialize; Vera Cheberiak was left at large; the investigation was entrusted this time not to Fenenko, but to Mashkevich, the Petrograd Magistrate for Important Cases; and—Fenenko was given a two months' vacation!

Mashkevich had a reputation for being an ordinary career hunter who was prepared to do anything he was told by those higher up. At the end of June he arrived in Kiev, and in the beginning of July he began to take testimony from the witnesses.

On July 7th Peter Singaievski, who was being held at that time for some other crime, was demonstratively released from prison. On July 13 and 15 Mashkevich examined Krasovski as a witness in the case. And on the 17th Krasovski was already arrested and sent to prison. . . .

It was soon learned that in his desire to render Krasovski harmless and prevent him from continuing his investigation of the case, Chaplinsky had requested telegraphically from the authorities of the Skvira District, where Krasovski had been police captain during the fall of 1911, detailed information regarding "negligence" and other official sins committed by Krasovski while in that position. The Skvira authorities *guessed correctly* what was expected of them, and soon enough two charges were brought against Krasovski: (1) He had arrested "without cause" the peasant Kovbassa on suspicion of political unreliability, and (2) He had deliberately destroyed official correspondence in a case involving the collection of an unpaid tax of 16 kopeks! Kovbassa was freed and Krasovski thrown into prison. . . . It is highly amusing to reflect that it was the notorious Shcheglovitov brand of justice which found it necessary in this instance to defend a "politically unreliable" peasant! Subsequently the Kiev Supreme Court found both charges unsubstantiated by evidence and exonerated Krasovski. And Kovbassa was arrested a little later by the higher authorities, actually charged with political unreliability. As for that unfortunate correspondence about the 16 kopeks, Krasovski's wife discovered it in a trunk where it had been forgotten when the Krasovskis moved from Skvira to

Kiev, and she forwarded it to the proper authorities at once.

On July 18 the chief witness figuring in the private investigation of Krasovski and Brazul-Brushkovski, Karaiev, was examined. The authorities were anxious to get this person, to whom Singaievski had confessed to being the murderer, as far away from the scene as possible. So we find a short time afterwards Karaiev deported by administrative process, without trial, for five years to Siberia, to stay there "under police surveillance."

In August, upon my return from abroad, I was summoned to appear before Magistrate Mashkevich as a witness in the case. Without waiting for him to question me, I myself told him about my meeting with Vera Cheberiak in Kharkov. Needless to say, I said nothing about seeing and talking about the case with Magistrate Fenenko. Nor did I deem it my duty to tell him things which I knew, not as a witness, but as counsel for the defense of Beiliss.

A few days later I was again summoned to Mashkevich. This time I found in his chambers also Vera Cheberiak. This "eye-to-eye" business ended very sadly for Mashkevich. He evidently tried to act the part of a well-bred gentleman, for he greeted me affably, offered his hand and even a cigarette. . . . This kind of "politeness" on the part of Mashkevich, and my imperturbable calmness, confused Vera Cheberiak very much. She came to the conclusion that I must be working "hand in hand" with the authorities and that some kind of a trap was again being prepared for her. To Mashkevich's questions regarding her talk with

me in Kharkov she hastened to reply that she was now seeing me for the first time in her life, in spite of my assertion to the contrary, and that the persons who talked to her in Kharkov were others. At the same time she declared to Mashkevich that those other persons in Kharkov had offered her at that time a bribe of 40,000 rubles if she would agree to "take on herself" the responsibility for killing Andrew Yushchinski. And, no matter how I tried to remind her that the person she had spoken to in Kharkov was none but myself, she stubbornly stood her ground and maintained that she had never in her life seen me at any place whatsoever.

Towards the close of this "eye-to-eye" confrontation Chaplinski himself came into the room. We greeted each other politely, although without shaking hands. He had evidently hoped to find an entirely different picture in that magistrate's chamber, and showed great chagrin at this unexpected case of "cold feet" on the part of Vera Cheberiak. Nevertheless, the prosecution later on tried me, by disciplinary process, on the basis of Cheberiak's testimony. But this was much later, in December, 1913, and I shall revert to it in another place.

At the same time, i.e. in the fall of 1912, and at the instigation of her new allies in the camp of the Black Hundreds, Vera Cheberiak brought suit against the editors and staffs of all the Kiev newspapers that had published the evidence gathered by the private investigation and named her as an accomplice in the killing of Yushchinski. Such "slander" suits were brought in large numbers, but

the hearings were postponed until after the Beiliss case.

Generally speaking, it may be said that every one who had any relation at all to the Yushchinski case and betrayed any doubt in the ritualistic nature of the murder found himself persecuted by Chaplinski. Thus the honest mistake of Mishchuk as to the genuineness of that material evidence buried on the mountain was interpreted as deliberate fraud on his part, and he was charged with having fabricated material evidence. The Kiev Supreme Court, however, was unanimous in declaring Mishchuk not guilty and freed him as well as his agents who had been accused together with him. The District Attorney appealed against the verdict of the Kiev Supreme Court to the Senate (i.e. the Supreme Court of the Russian Empire). The Senate set the verdict aside and ordered the case reopened, this time before the *Kharkov* Supreme Court.

Among the judges of this court there were found some who were more amenable to the spirit of the Shcheglovitov brand of justice. Here Mishchuk was found guilty and sentenced to penal servitude in the "Arrestantskoie Otdielenie" (penitentiary), with loss of special privileges. And this time the Senate left the appeal of the defense against this outrageous sentence without any answer. But at that juncture the conscience even of such a professional thief and crook as Kushnir spoke up. This fellow had instigated the whole story with the material evidence, and then he had accused Mishchuk of having ordered him to bury those articles on the mountainside. Kushnir appeared before the

authorities and confessed that he had falsely accused Mishchuk and that the latter was innocent. After that Mishchuk was amnestied by Imperial dispensation.

Brazul-Brushkovski managed for a long time to remain unmolested. Finally, however, his turn also came. In July, 1913, there was found an army officer who declared that when the national anthem was played in one of the public parks of Kiev three times in succession, Brazul-Brushkovski was seen to rise only twice, remaining seated the third time. The result was a charge of lese-majesty against Brazul-Brushkovski and a verdict of unprecedented severity, considering such a trifling "offense." The Kiev Supreme Court sentenced him to one year's confinement in a fortress.

The further investigation by Mashkevich was dragged out for a very long time. Meanwhile Singaievski had managed to commit fresh crimes and was arrested in company with Modzelevski. Rudzinski, too, had been caught in the meshes of the law again, and was sentenced for an armed hold-up to forced labor in Siberia and deported to Irkutsk. The most interesting fate, however, was to be that of Latyshev. In March of 1913, while being examined by a magistrate in connection with some burglary, he suddenly dashed to the window, broke the glass with his fists, jumped to the window-sill and commenced to slide down the gutter-pipe. He lost his hold, however, and fell from the fourth story to his death. Such, at least, was the official version of this "attempted escape" in broad daylight from the building of the Kiev Judiciary Institutions, situated in a central and crowded section

of the city. But far more plausible was the theory that Latyshev had deliberately committed suicide. This seems to be indicated by all the circumstances attending his desperate dash through the window. Also, as Singaievski had told Karaiev already in the spring of 1912, Latyshev was regarded among the criminal elements as "a man of principle," incapable of any "wet business" (i.e. murder), being something in the nature of a gentleman observing "honor among thieves." According to Singaievski, Latyshev "felt nauseated" when the three killed Andrew Yushchinski. Besides, he was apparently tormented by remorse for the beastly killing of the lad, and by the fear that the crime would be discovered. This fear never left him ever since that December, 1911, when he saw Modzelevski at Magistrate Fenenko's chambers and made his futile attempt to tear up the testimony he had signed.

The proceedings of Mashkevich were surrounded with a solemn air of mystery. Sometimes there would be a news item in the papers to the effect that the investigation had been completed and that the act of indictment was already being drafted. Then came a denial, and it was predicted, "on the basis of information received from the best authority," that the Beiliss case was going to be quashed for lack of proof. Mashkevich made several trips to Petrograd to consult Shcheglovitov, and then there were rumors that Chaplinski had taken to Shcheglovitov several drafts of the indictment, for him to "choose."

At last, in the beginning of May, 1913, it became definitely known that Mashkevich had finally completed his investigation and that the powers that

be (i.e. Shcheglovitov) had decided to indict Beiliss the second time. On the 24th of May the Kiev Supreme Court (Department of Indictments) confirmed the new act of accusation against Beiliss.

This time the issue of the ritual character of the murder was put openly and squarely. Now the prosecution came forward, not behind a mask, but with open visor. Beiliss was charged with having killed, after previous agreement with other persons who have not been found by the investigating authorities, Andrew Yushchinski, with premeditated intention, from motives of religious fanaticism and for ritual purposes.

However, this second indictment of Beiliss took place under most extraordinary circumstances.

The judge who reviewed the case of Beiliss at the opening of the trial, Supreme Court Justice Ryzhov, moved to have the case dismissed, for lack of any evidence whatsoever against Beiliss. This was concurred in by the presiding judge at that session, Chief Justice Kamentsev. Here, then, were the very members of the court whose duty it is to study carefully all cases before trial (the reviewing and presiding judges), and whose opinion is always regarded as the most important and decisive, going on record *against* the confirmation of the indictment! But the other members of the court (I don't recall now exactly the number of judges attending that historical opening session, but it seems to me that there were either 7 or 8 present) did not seem to muster the courage to risk their official careers and judge against the desires of Shcheglovitov. They voted for the confirmation of the act of indictment. It was said that they acted in this instance

from purely tactical considerations, a thing plainly inadmissible in the case of a judge. They declared that it was "embarrassing" and inconvenient for the prestige of justice to free without trial a person who had been kept in prison for nearly two years. . . . Hence Beiliss was indicted and left again in prison, pending the trial.

Kamentsev and Ryzhov, however, although never noted for any great sympathy for the Jews, proved themselves real guardians of the law and of justice. Indignant at the results of the vote of their colleagues, they filed a dissenting opinion, pointing out the total lack of "even indirect proofs" against Beiliss. They also announced that they were not going to cloud and disgrace their declining years by so shameful an act as trying an absolutely innocent man.

These two judges are no longer among the living. They passed on soon after the Beiliss trial. May they rest in peace—these courageous, fearless champions of law and justice who refused to be intimidated by the threatened revenge of Shcheglovitov and all the Black Hundreds of Russia!

When the new act of indictment was handed to Beiliss he again named me among counsel for the defense. During the winter and spring of 1912 I frequently visited him at the prison and came to like this patient sufferer bearing his cruel ordeal without a murmur. He, in turn, became greatly attached to me and always seemed to find some relief in being able to talk to me.

I hastened to file an official statement to the effect that I had been examined by Magistrate Mashkevich as a witness in the Yushchinski case

and that I considered it therefore embarrassing now to act as counsel for the defense. Although I was not on the list of witnesses cited by the prosecution in the *Beiliss case* it was obvious to me that I would be needed, in the interests of the defense, as a witness for the private investigation and on the complicity of Vera Cheberiak and her confederates in the killing of Andrew Yushchinski. Anyhow, from the very beginning of my work in trying to run down the murderers I was least of all thinking of acting as counsel for Beiliss at his trial. I knew that the best talent of the legal profession in Russia would be glad to act in his defense. My own modest, but difficult and responsible part, which I myself had chosen, consisted in searching for the assassins of Andrew Yushchinski.

Immediately following the confirmation of the act of indictment, Gruzenberg and Zarudny, two of Russia's most famous lawyers, came to Kiev from Petrograd. Our commission, including Grigorovich-Barski, met in conference with them. The prosecution confined itself to summoning those witnesses who had been cited in the first indictment and who were supposed to prove the guilt of Beiliss. It seemed as if the prosecution was to ignore entirely the fresh evidence that had been brought to light by the investigation of Mashkevich, in connection with the private investigation. This afforded a possibility for the defense, should it so desire, to confine itself to the original facts in the Yushchinski murder case.

It was, however, only too obvious that the best means of defending Beiliss would be to present to the court all the grave evidence that had been dis-

covered against Vera Cheberiak and her accomplices as a result of the private investigation. A study of the evidence collected by Mashkevich also revealed the fact that Warden Kirichenko had in the summer of 1912 furnished exceedingly important and valuable testimony confirming in many details the facts obtained through the private investigation of Krasovski and Brazul-Brushkovski. It was therefore decided to file an application to have all the new witnesses who had been examined by Mashkevich in connection with the murder of Yushchinski summoned. At the same time the defense requested the court to summon experts on surgery, psychiatry, ecclesiastic matters and Jewish ritual.

It became known soon afterwards that the trial of Beiliss would take place during one of the fall sessions of the court. On July 12 a jury was impanelled for the session in which the Beiliss case was scheduled to be tried. The majority of persons chosen for this session were peasants and common folk living on the outskirts of the city of Kiev. This, when in Kiev, one of the largest centers of Russian culture, it had nearly always been the rule for a large proportion of men with university education to find themselves chosen as jurors! . . . Involuntarily one had to suspect that on this particular occasion the panel of jurors had been specially picked out, through abuse of the right of challenge by the prosecution and many other unsavory methods.

On July 29 died Mr. Pikhno, editor of the *Kievlianin*. With his death Russian reaction lost one of its leading spirits. Beiliss, however, lost

in him the most powerful and influential of all his defenders, through the irony of fate!

Among the wreaths laid upon the grave of Pikhno there were two modest little offerings bearing the inscriptions "From the wife and children of Beiliss" and "From Krasovski." The first wreath also bore the legend "To the kindly defender."

An attempt by Black Hundred rowdies to tear the ribbon with this inscription from the wreath was frustrated by the police guarding the funeral procession and the hearse carrying the mortal remains of the late Pikhno.

## IV

In the Imperial Duma, deputies of the Black Hundred type, such as Zamyslovski, Purishkevich, Markov the Second, and the former member of the *Kievlianin* staff, Savenko, betrayed particular zeal and interest in the Beiliss case, of course. Nevertheless the overwhelming majority of the Duma deputies, notwithstanding the preponderance of reactionary and conservative elements, represented by landlords and old government officials, frowned upon the interpellations of Zamyslovski and his friends about the "inactivity" and "corruption" of the Kiev police, the "dilatoriness" of the investigating authorities, etc.

Savenko frequently came to Kiev and conferred with local Black Hundred leaders, stirring up their zeal in spreading the slander about the ritual nature of the Yushchinski murder. Matters reached such a pass that Pikhno found it necessary to dismiss Savenko from the staff of the *Kievlianin*.

Already in the fall of 1912 it had become known to us that Savenko often met Vera Cheberiak, giving her advice and instructions, and taking her under the wing of his patronage and protection. The Kiev Black Hundreds and the band of thieves in league with Vera Cheberiak, encouraged by the plainly favorable disposition of Chaplinski and Mashkevich, grew bold beyond belief. My continued stay in Kiev came to be more and more risky. In the spring of 1913 I took up my residence in Petrograd. After that I had to go to Kiev nearly every month, in connection with the Yushchinski case, without, however, staying there very long.

It must have been already toward the close of the summer of 1913 when I received a telegram from Kiev, from Grigorovich-Barski, asking me to meet him in Moscow, to invite the distinguished Moscow jurist and Duma deputy, Basil Maklakov, to join counsel for the defense of Beiliss. I immediately left for Moscow. Maklakov at once agreed, in principle, to act as counsel for Beiliss. He withheld, however, a final consent until he could study the details of the case. It was then agreed that I should visit him within the next few days at his beautiful estate in the environs of Moscow, and there, at his leisure, submit to him a detailed report.

Basil Maklakov's rural villa was situated alongside his brother Nicholas's estate. The latter was the famous Minister of the Interior who owed his career to his ability as a story teller and because he knew how to please the Black Hundreds. The two brothers did not even visit each other.

My report lasted several hours. Having familiarized himself with all the details of the case, Mak-

lakov announced: "The evidence against Beiliss, considered even in a purely formalistic manner, is simply ridiculous, while the evidence against Cheberiak and her company is, to say the least, 20 times more serious than the material collected against Beiliss!" Maklakov now authorized me to wire to Kiev that he had expressed his final consent to take part in the case as counsel for the Beiliss defense.

At the same time we invited also as counsel Mr. N. Karabchevski, that famous Russian jurist who had so brilliantly defended the honor and dignity of the Jewish people in the Kishinev pogrom case.

The 25th of September, set aside as the opening day of the Beiliss trial, was approaching.

It is worth noting that the presiding judge of the Kiev Circuit Court, Justice Grabar, declined the honor of acting as presiding judge in the Beiliss case which had been offered him. Although Grabar was known for his very conservative views, he still declined to act, for the sake of a career, as a mere tool in the hands of Shcheglovitov in the Beiliss case. As a result of this refusal, Grabar was appointed to some other post, while the place of presiding judge of the Kiev Circuit Court was taken by the member of the Kiev Supreme Court, Mr. Boldyrev, who had managed to render most important services to Shcheglovitov and the Black Hundreds by his zeal in the question of confirming the act of indictment against Beiliss. Needless to say that this sudden promotion of Boldyrev was due to his readiness to act as presiding judge in the trial of Beiliss.

Similar difficulties were encountered by Shcheglovitov in finding among the prosecuting authori-

ties of Kiev a worthy person to present the case for the State. The choice finally fell upon the Assistant District Attorney of the Petrograd Supreme Court, Vipper. He was reputed to be a fiery, passionate speaker and a mere career hunter. But the chief cause of his appointment was the fact that he announced his *firm conviction* that there really existed ritual murder among the Jews and that Beiliss *must* be guilty. This "conviction" was gained by Mr. Vipper—at a spiritualist seance! Some mysterious spirits had told him all about it by means of certain signs! . . .

Acting as civil plaintiffs, in the capacity of "voluntary" aids to the State's attorney, were Zamyslovski, Shmakov, and the latter's assistant, the still youthful Black Hundred man, Durassovich. At the trial the fact was brought out that the mother of Andrew Yushchinski had long refused to act as civil plaintiff against Beiliss. But as the Black Hundreds were anxious by all means to see Shmakov and Zamyslovski take part in the trial, the Kiev Black Hundreds finally managed to overcome the honest scruples of the murdered boy's mother. She was practically forced to accompany them to a notary, where she signed the necessary powers of attorney for these Black Hundred lawyers.

The striking and vivid personalities of Zamyslovski and Shmakov deserve that a few words be said about them.

The Moscow lawyer, Shmakov, had been quite mad for a number of years past, as far as the Jewish question was concerned. He was *honestly* convinced that the Jewish people were endowed with

the whole gamut of human wickedness, and that the Jewish population was the source of every calamity that befell Russia. Having steeped his mind in the writings of Lutostanski, Shmakov believed sincerely that the Jewish religion demanded human sacrifice. Shmakov had also written a bulky volume dealing with the Talmud and the Jews, and his Moscow study was decorated with pictures of—Jewish noses!

All in all, he was an obvious maniac. In appearance he reminded one of a sulky, clumsy bear, and he made the impression of a stubborn, rude fellow.

In all important pogrom trials Shmakov was sure to act as counsel for the perpetrators of the pogroms. There is, however, this to be said in his favor: at least he did not act from motives of material gain and official career. His regular legal practice was devoted to civil actions, and, of course, his reputation as a rabid anti-Semite kept Jewish clients away from him. He also declined to accept official posts, ranks and honors, in spite of the fact that all these things could have been his for the asking, as a reward for his fanatical hatred for the Jews, and in recognition of his conservative and reactionary views.

Zamyslovski on the other hand, was the very opposite of Shmakov. This gentleman lacked all traces of principle or convictions. For the advancement of his own career and for the sake of material gain Zamyslovski was prepared to do almost anything under the sun. At first he served in the State Prosecutor's office, but was later compelled to resign, because of some dark affair he had happened to be mixed up with (which I do not recall

exactly at this time). As a person with a stained reputation, he was refused admission to the bar.

It was at that moment that Zamyslovski suddenly came out as an extreme reactionary. Clever and cunning, he managed to impress greatly the Black Hundreds, and finally had himself elected Deputy to the Imperial Duma.

In order to be entitled to act in the Beiliss trial as civil plaintiff, Zamyslovski had himself especially made a so-called "private attorney." (In the Russian Empire there existed, alongside the regular members of the bar, an institution of so-called "private attorneys," composed of people who did not have a higher legal education).

Already a month before the opening of the trial, there had been a rumor that Shmakov and Zamyslovski had almost come to a break because of differences as to the attitude they ought to assume with regard to the character of Vera Cheberiak. Shmakov, fair and honest after his own fashion, had come to the conclusion, after he had studied the case, that Vera Cheberiak had taken part in the killing of Yushchinski. Shmakov's blind and fanatical belief in the existence of ritual murder among the Jews led him to the assumption that the Cheberiak woman must have lured the boy to her house and then "sold" him to Beiliss and his Jewish confederates! But Zamyslovski, who was not blinded by fanaticism, but, on the contrary, possessed a very sober and analytical mind, at once saw the absurdity and danger of such a theory. He understood from the beginning that the Beiliss defense was going to make every effort to expose Vera Cheberiak as an accomplice to the murder,

and, anyhow, this was obvious to all who were acquainted with the evidence in the case. This in itself precluded all possibility of making both Beiliss and Cheberiak confederates in the crime.

This difference of opinion between Shmakov and Zamyslovski regarding the proper attitude of the prosecution toward the part of Beiliss in this drama subsequently was seen to run right through the whole trial, finding its clearest expression in their addresses to the court and the jury. Zamyslovski built up his case against Beiliss mainly on the testimony of the Cheberiak couple and their little girl. Consequently he tried in every way to white-wash Vera Cheberiak in the eyes of the jury and inspire them with confidence in her testimony. That queer Shmakov person, on the contrary, left no stone unturned to show that both Beiliss and Vera Cheberiak were the murderers, failing to see the utter absurdity of such an assumption!

As for that nervous Mr. Vipper, he at first stuck to the only possible tactics in this case—those of Zamyslovski—but later, in his second speech, he reversed himself completely and dropped the remark that Vera Cheberiak might perhaps be guilty, together with Beiliss, of the killing of Andrew Yushchinski.

At last there arrived that memorable morning of September 25. On the bench for the accused is Mendel Beiliss, under heavy guard. Most of the spectators, admitted on tickets previously distributed belonged to the reactionary circles of the population of Kiev. Scarcely a Jew to be seen among them. . . . And this, when the whole race was being judged there in the person of Mendel Beiliss!

"Attention, the Court is coming!"

Following the customary questions addressed to the defendant, the choosing of the jury begins, composed of 12 regular and 2 reserve jurors. Lots are drawn, and the result is that there are in this jury 7 peasants, 2 ordinary townsmen, and 3 officials, not one with a university education.

The famous writer, Korolenko, who was present throughout the trial of Beiliss, devoted a great deal of time and effort to find out how it came that such a poorly educated panel, contrary to the almost invariable practice, had been prepared for the selection of this particular jury. It seemed very suspicious, to say the least. . . . From the very first day of the session, up to October 28th, for a period of 5 weeks, these jurors had to remain constantly in the courthouse, supposed to be strictly isolated from the influence of families, friends, newspapers, etc.; and yet Korolenko, after a careful investigation of the circumstances under which the jury had to spend its involuntary confinement, brought to light indisputable evidence to prove that the Black Hundreds found precisely this strict isolation of the jury in the building of the Kiev Circuit Court most convenient for influencing the jury with their propaganda. I am sorry to have none of these facts on hand to throw more light on this dark and outrageous chapter of the Beiliss case.

The complete account of the official investigation in the Beiliss case may be found in the stenographic records filling three volumes. There is, therefore, no need here to repeat all the testimony of witnesses and the opinions of the various experts. As in preceding sections, we shall here also merely confine

ourselves to reviewing that part of the evidence which deals directly with Vera Cheberiak and the facts obtained by the private investigation.

At the trial was brought out the fact that Vera Cheberiak had already in her examination by Mashkevich, July 10, 1912, completely changed her original testimony. She claimed now that her late son, Genia, had told her that he had seen Beiliss and two strange Jews "chasing after Andrew Yushchinski" over the grounds of the brick yards. According to Vera Cheberiak, this chase was witnessed also by the Voloshchenkov girls and other children. At the same time, i.e. July, 1912, Vera Cheberiak's 9-year old girl, Luda, confirmed the testimony of her father, Vasili Cheberiak, given by him, as has been stated in a previous section, as early as December, 1911, in his examination by Magistrate Fenenko. At the trial both the mother and the daughter again repeated the testimony they had given to Mashkevich. Luda, in her childish prattle, repeated the lesson that had been drilled into her, about herself and her late brother, Genia, having gone to the Beiliss home and seeing there two strange Jews. One of these was supposed to have been dressed in a black mantle and tall hat of black cloth. Then, at another time, she had gone, in company with Genia and Valia, to the grounds of the brickyards, where they also met Andrew Yushchinski and other children. All of a sudden there appeared Beiliss and those two mysterious Jews whom they had seen previously at the Beiliss home, and began to "chase" after the children. Luda herself "ran away" and did not see what happened after that, but her sister, Valia,

told her later that she had seen how those three Jews had caught Andrew Yushchinski and "dragged him to the kiln."

All these things little Luda Cheberiak "remembered" for the first time in July, 1912, a year and four months after the murder of Yushchinski. . . . But all those children to whom Vera Cheberiak referred as eye-witnesses of the seizure of Andrew Yushchinski by Beiliss asserted categorically that they had never seen and said anything of that kind.

Thus we see the following picture: Prior to the arrival of Magistrate Mashkevich, Vera Cheberiak accused Mifle and others of the killing of Andrew Yushchinski. She maintained stubbornly that the lad had not even been seen in that part of the town for 3-4 weeks prior to the discovery of the body, and that the last time he had called at her house he had invited Genia for a walk, but that Genia had declined. But *now,* in July, 1912, she accused Beiliss. *This time,* according to her story, Genia *did* go out for a walk with the Yushchinski boy!

The chief witness for the defense, however, Karaiev, who had exposed Singaievski and the others as the actual murderers of Yushchinski, was not brought to the court *because of the great distance* between Kiev and his Siberian exile. We had to confine ourselves to the reading of his testimony given to Mashkevich.

Needless to say that all measures had been taken by the prosecution to discredit in every possible way the testimony of Makhalin and the Diakonov sisters. Vipper, Shmakov and Zamyslovski did not feel deterred by any moral scruples in doing all they could to counteract the effect which the

testimony of these witnesses was liable to produce upon the jury.

Meanwhile it was found during the trial that, soon after the facts of Krasovski's and Brazul-Brushkovski's investigation had been published in the papers, one more witness had appeared—the barber, Shvechko—who declared that he had once been confined at a police station together with Rudzinski and had heard during the night how Rudzinski, who was near him and evidently thought him asleep, was speaking to another prisoner, Krymski by name, about some "bastard" whom he and his companions had "finished off." At first Shvechko paid no attention to this accidentally overheard talk, but later, when he came across the picture of Rudzinski in the newspapers, in connection with the exposures in the Yushchinski murder case, he recalled that conversation at the police station and hastened to tell about it to Brazul-Brushkovski, and later also to Magistrate Mashkevich.

At the trial it was shown that Shvechko had really been confined together with Rudzinski and Krymski at the police station at that time, according to the records.

The most important and valuable testimony, however, was given by Police Lieutenant Kirichenko. At the time when the *first* indictment was confirmed, the defense had no idea what a tremendous significance this witness and his testimony was to have. At that time we did not even request the court to have him summoned as a witness. *At that time* Kirichenko still hesitated to speak out openly about everything he knew, because his immediate

superiors, the captain and his assistant, discouraged his attempts to discover the murderers. But after the exposures by Krasovski, and following the denunciation by the late Pikhno, Kirichenko decided that the time had come for him to act.

Kirichenko was examined by Mashkevich only in March, 1913, furnishing highly interesting evidence which fully corroborated the findings of the private investigation. (This time, of course, the defense summoned Kirichenko as a material witness). At the trial he again gave a circumstantial and exhaustive account of what he had learned while taking part in the first police examination. "To me," he said on the witness stand, "it became clear that, no matter where one might turn, no matter where one might seek, all roads lead to Cheberiak." He enacted before the court the scene of the Cheberiak couple casting threatening glances at Genia during the house searches, as well as during the examination at gendarmery headquarters, and how they demanded of the boy to maintain absolute silence about the murder case. Kirichenko went on to testify how Zinaida Malitskaia had tried *from the very beginning to submit some important testimony to him,* and how his immediate superior, Assistant Captain Vishinsky, had forbidden him to take a hand in this affair and to examine Malitskaia. This woman had kept saying: "There is something I know, but I am afraid to tell." . . .

Kirichenko continued to testify, telling why he had come to the conclusion that Cheberiak, Singaievski, Rudzinski and Latyshev were guilty. In April, 1912, he met Krasovski and told him of his impressions and the facts which he had gathered at

that time. It then turned out that he was in possession of information to the effect that Vera Cheberiak herself had distributed the proclamations about the Jews having killed Andrew Yushchinski, *immediately* following the discovery of the body. Kirichenko had taken particular pains to make an exhaustive investigation of the circumstances attending the trip of Rudzinski, Singaievski and Latyshev to Moscow, on March 13, 1911. Rudzinski's mother and sister, being taken by surprise, unprepared for an examination, told Kirichenko that Rudzinski had asked them before his departure to report him to the passport section of the police station (in accordance with the general practice in Russia at that time) as having left town and gone to *Kovel on March 12th.*

The testimony of Kirichenko and Gendarmery Colonel Ivanov also brought out the fact that Latyshev, Singaievski and Rudzinski, who had stubbornly denied any mutual acquaintance among themselves, had been the most frequent callers at Vera Cheberiak's den. Ivanov furthermore testified that Rudzinski had *on his own initiative* confessed to him that he had committed a burglary in the Adamovich store during the night of March 12-13, so as to remove all suspicion of his own part in the killing of Yushchinski. This "confession" of Rudzinski to Ivanov coincided, in point of time, with the time established by the private investigation of Krasovski, and it fully confirmed everything that Karaiev and Makhalin had learned from Singaievski.

Still, notwithstanding this "clean breast" made by Singaievski and Rudzinski, the investigating

magistrate in charge of the Adamovich burglary case established the fact that *both had lied* and had taken no part in that affair. After that the case was dismissed. It was perfectly obvious, of course, what object they had in lying about this: they knew very well that for the murder of Yushchinski they would face many years, perhaps 20, of hard labor in Siberia, whereas a sentence for burglary would mean nothing more terrible than 3 years in the penitentiary, at worst, and that, too, in their native town of Kiev. But, apart from all this, the fact was that their alibi was very poor, anyhow, for the reason that the burglary had been committed during the *night* of March 12-13, whereas the murder took place on the morning of March 12. But when a person is drowning he will grasp at a straw. . . . Had these fellows only known that Shcheglovitov and Chaplinski themselves were going to come to their rescue, they would not have bothered about the straw of that Adamovich burglary. . . .

Another very important circumstance which was brought out by Kirichenko's testimony was that Genia had been fond of making himself all kinds of toys. During the house search at Vera Cheberiak's place there was found, among other things, a toy aeroplane built by Genia. But there was found no trace of the *perforating instrument* (remember that Yushchinski was *stabbed*) which had been used by Genia in building his toy aeroplane. . . .

The preliminary investigation carried on by Mashkevich was, and justly so, bitterly criticized by counsel for the defense at the trial. Thus, some hairs were found on the body of the murdered boy.

Of course, Mashkevich was quick to see whether these hairs would match those of Beiliss. To his disappointment, there was not even a shadow of resemblance, neither in color nor any other respect. At the same time, however, he did not consider it necessary to compare (evidently afraid!) these hairs with those of Latyshev, Rudzinski and Singaievski. Nor did Mashkevich find it advisable to show Catherine Diakonova that blood-stained strip of the pillow-case discovered in the pocket of Andrew Yushchinski's blouse, nor the perforated slips of paper found near the body in the cave. Instead of this, Mashkevich demanded of her that she *draw* the pattern of the lace in the Cheberiak pillow-cases, as well as the form of the *perforations* in the paper slips which had been used in the Cheberiak home in those games at "Flying Mail." As was to be expected, Diakonova drew both designs incorrectly. In his great speech analyzing the proofs in the case, Gruzenberg rightly pointed out that *not one person* could ever accurately draw from memory such designs, because under circumstances like these the human mind catches only the *general* appearance of an object, and by no means all such little details.

Mashkevich could, of course, have shown Diakonova, together with the proper ones, some *other* designs, and ask her to point out among the different designs those which she had seen on the Cheberiak pillow-cases and paper slips. But that would have been dangerous for Mashkevich and Shcheglovitov, so it was never done.

The most pathetic moments of the trial were those when Rudzinski and Singaievski were ex-

amined. The minute these fellows would get confused the presiding judge, Boldyrev, would hasten to their rescue, encouraging and frequently reminding them that they could not be compelled to answer questions that might involve them. . . . The two again testified that they had committed that burglary at the Adamovich store. When Singaievski was confronted with Makhalin he lost his head completely. The most intense moment of the trial thus far had come. It seemed as if Singaievski was on the verge of bursting out with a confession. . . . But again Boldyrev intervened. *He did not want* such a confession.

"Why did Vera Cheberiak, after she had been released from the police station, take the hopelessly stricken and dying Genia from the hospital back to her house?" Maklakov, in his excellent address, demanded to know. "Why did she try to drown out by her cries the words which he was murmuring in his delirium? 'Andrew, don't scream!' poor Genia had been pleading in his delirium. And then Vera Cheberiak had kept urging the delirious Genia: 'Say that I had nothing to do with it!' But Genia answered: 'Go away, mother, I feel bad, leave me alone!' and it was plain that he was trying to add something else to these words." And then Vera Cheberiak, in her fear, hastened to seal his lips with a kiss. Maklakov fittingly described this scene as "A Judas kiss!"

The fact that the murdered lad had been without his overcoat on the morning of March 12, when he was seen for the last time, and that he had left that overcoat at the Cheberiak home, was established by several witnesses, among them being also one Golu-

bev, according to Genia's statement. In speaking about this highly important fact of the mysterious disappearance of the overcoat, Karabchevski, of counsel for the defense, uttered that terse, winged phrase: "Wherever the blood is, there is also the overcoat."

On October 28th both sides had finished their summing up. The court proceeded to formulate the questions. At the request of Shmakov and Zamyslovski the question as to the fact of the murder itself was set apart from the question of Beiliss' guilt. After an uninteresting summing up by Boldyrev the jurors filed out for their deliberation.

The time dragged along painfully. . . . At last there is the bell. To the first question the jury answered in the affirmative. They found that there had been *proof* that the killing of Andrew Yushchinski had been perpetrated "for ritual purposes." To the second question, as to the guilt of Beiliss, they answered: "No, not guilty!"

Personally, I had never doubted throughout that trial that Beiliss would be freed. I never lost the confidence that even among these 12 humble, intimidated men there would not be found half a dozen who would have the hardihood to bring in a verdict of guilty against a manifestly, obviously innocent person. To be sure, it was later reported that there had at first been five among the twelve who had stood for conviction. But this, in the first place, has not been proven and will remain the secret of the jury room. And, besides, we must remember the pressure and the fear under which some of these jurors, particularly the petty officials who depended upon the favor of their superiors, had to act. It

is safe to say, however, that those who did at first vote for conviction felt *happy in their hearts* on finding themselves in the minority, for this solved the dilemma to every one's satisfaction, more or less: they had pleased their superior officials, by *believing* that Beiliss was the murderer, and at the same time they had avoided the sin of actually convicting him by their votes, for he was freed, after all!

On the question of the ritual character of this murder, it was claimed that 7 jurors had voted in the affirmative. But the form in which the second question was couched fails even to make it clear whether the murder was supposed to have been committed by *Jews*. And since it was not a question involving any particular living individual, but an *abstract formula,* one could most certainly have expected this verdict in the affirmative, considering the low intellectual standard of this jury, as well as the extraordinarily intensive propaganda of the Kiev Black Hundreds before the trial.

But, after all, what could such a verdict amount to in the opinion of the civilized world and any honest, fairminded person? And what could it add to that ancient, long buried myth about the existence of ritual murder among the Jews? Nothing but the disgraceful names of the government experts, Pranaitis, Sikorski, and Kosorotov. . . .

Hardly had the Beiliss case been disposed of when persecution was started against all those who had had the manhood to fight Prosecutor Chaplinski in his fiendish attempt to ruin a perfectly innocent man and lay a terrible charge against a whole race.

On December 7 a general session of the Kiev Circuit Court tried me in disciplinary proceedings. I was declared guilty by a majority of ⅔ and excluded from the bar, i.e. sentenced to the highest penalty. The court admitted that the charge that I had tried to bribe Vera Cheberiak, as she had claimed, *was not proven.* But the court did consider the very fact of my interview with her damaging.

There were among the minority of the court some fearless judges, however, who handed down dissenting opinions in my case. One group of judges wrote that not only had I committed no crime, but on the contrary, that I had done everything that a lawyer and a man was *in duty bound* to do. Another group protested against the severity of the penalty imposed upon me.

Justice Boldyrev, who had presided in my case, had gained his object: I was "punished." Soon after that, Boldyrev received the official thanks of Shcheglovitov and was promoted to the higher post of Chief Justice of the Kiev Supreme Court. And for this amazingly rapid advancement he was indebted to Beiliss and myself. . . .

Generally speaking, promotions and rewards were fairly showered, as if from a horn of plenty, upon all those who had in one way or another managed to please Shcheglovitov—beginning with Chaplinski, who was appointed a Senator (Justice of the Supreme Court), and ending with the common messenger of the jury room, who was promoted to the post of Sheriff.

On January 20, 1914, was tried the case of Shulgin, the editor of the *Kievlianin* after the death of

Pikhno, charged with having published in his paper an article containing deliberate misrepresentation of the activities of Prosecutor Chaplinski. Shulgin was found guilty and sentenced to three months of imprisonment.

On January 21 a pledge was taken from Police Lieutenant Kirichenko not to leave town until further notice.

On February 1 the Circuit Court resolved to summon Gruzenberg to answer disciplinary charges. The excuse for this was seen in Gruzenberg's remark at the trial when examining witness Ivanov: "There are honest as well as dishonest witnesses." The court later found Gruzenberg guilty and reprimanded him for this "crime." At the same time the court also resolved to bring disciplinary charges against lawyer Vilenski, the court being informed of his part in the private investigation. But Vilenski happened to be abroad just then, returning to Russia only in the fall of 1914. His case was tried already during the war, when the Beiliss case had lost its acuteness. As there was no evidence to show anything reprehensible in his actions, the court acquitted him.

On March 22 the Kiev Supreme Court heard my appeal against the verdict of the Circuit Court. My case was summed up for the court by Justice Schmidt, who had only recently been transferred from Kharkov to the Kiev Supreme Court bench and had succeeded in having Mishchuk condemned at the time his case was re-tried. By a majority of 17 against 11 my appeal was dismissed. Here, again, there were dissenting opinions filed by the

minority: among the members of the Supreme Court, too, could be found men of honor, it appears.

Hand in hand with these persecutions there began also the hearing of those innumerable cases against the editors of newspapers in Kiev, the capital and the provincial cities, charged with "spreading deliberate misinformation about the Beiliss case." Among those who were thus accused was also Maklakov, in connection with his articles on the Beiliss case published in the *Russkaia Mysl* and *Russkia Viedomosti.*

However, the most interesting of all these "literary" trials was that of Trifonov, of the *Kievlianin* staff, charged by Vera Cheberiak with "slander." This case was tried on April 19, 1914, before the Kiev Circuit Court. Among the witnesses summoned at the request of Trifonov was Magistrate Fenenko. This time Fenenko declared emphatically that he had *no doubt* concerning the complicity of Vera Cheberiak in the Yushchinski murder. "As before, so to-day, I am firmly convinced of your guilt in the murder of Yushchinski," Fenenko thundered at her.

After such a public denunciation by Magistrate Fenenko the court found it impossible to hand down a verdict of guilty against Trifonov, who had only written the very thing that magistrate Fenenko, as an official representative of the law, had just affirmed here. So Trifonov had to be acquitted.

In conclusion, mention should be made of the disciplinary trial of the 83 Petrograd jurists "guilty" of having adopted a protest resolution in connection with the Beiliss trial, and who were held to account for it before the Petrograd Supreme

Court. They were forbidden to practice the legal profession for various terms ranging from three months to a year.

## V

The case of Beiliss was ended. But I could not rest content with the thought that the Yushchinski murder case should not be prosecuted to the end. First of all I considered it absolutely necessary to find and question Adele Ravich, a neighbor of the Cheberiaks, who, in company with her husband, had suddenly left for the United States soon after the death of the Cheberiak children. There was a report that Adele Ravich had even seen the corpse of Andrew Yushchinski at the home of the Cheberiaks. She was also said to be familiar with all the details about Andrew calling on Genia on the morning of March 12 and leaving his overcoat there. There were rumors to the effect that the Kiev Black Hundreds, fearful lest she be summoned to give testimony, had collected enough money to see her off to America.

Similar secrecy surrounded the departure of a good friend of Vera Cheberiak, Julia Belozerova, soon after the murder, and it was said that she had gone to Turkestan.

Our Beiliss commission was liquidated soon after his acquittal. I knew from the bitter experience of my previous efforts that I could not count upon the active assistance of the leaders of the Jewish community in Kiev in continuing the search. And yet there was need of material assistance in arranging for trips to the United States and Turkestan to examine the Ravich and Belozerova women.

It was decided that I and Doctor Yochelman, my colleague for many years in the work of the Jewish Territorialist organization as well as in the field of Jewish emigration, should first go to Baku, to see our fellow members of the Central Committee of the Territorialist organization, the prominent public leaders, Messrs. M. Tropp and S. Shryro, and suggest that they undertake to collect the necessary funds. Our trip was made already at the close of December, 1913. On the way over, we stopped at Rostov-on-the-Don, and there too, we found the leaders of the Jewish community, with attorneys Gutermann and Chernikov at their head, favorably inclined to our undertaking. The Baku and Rostov leaders collected the modest amount of money that was required, and attorney A. Neumann, who at that time was my assistant, undertook the search for Belozerova. Pinchos Dashevski, our national hero who had given his deserts to that notorious leader of the Black Hundreds, Krushevan, after the Kishinev pogrom, agreed to accompany Krasovski to the United States to find and examine Adele Ravich and her husband.

In New York they met with ready support on the part of the American Jewish Committee. Mr. Herman Bernstein, at that time secretary of this Committee, guided them in their work and displayed great energy and devotion to this cause.

It is to be regretted, however, that neither of the two clues was to furnish any positive results. Belozerova categorically declined to furnish any testimony whatsoever regarding the murder of Yushchinski, claiming total ignorance of the affair. As for the Ravich couple, whom Dashevski and

Krasovski finally succeeded in locating in a small American village, they gave some highly interesting testimony, tending to confirm the fact that Vera Cheberiak had taken part in the murder, but there was not in this testimony any *new* circumstance which is required by law before an appeal for a re-opening of a case may be made. After the return of Dashevski and Krasovski from the United States, bringing with them the affidavits of the Ravich couple officially certified in accordance with American law, I held a special conference with Fenenko about these documents. Alas! We had to admit that in these affidavits were given only *new proofs,* but no *new circumstances.*

The war pushed into the background everything not immediately connected with it, and a new chapter of history began. In place of the calumny about the Jews using Christian blood for their ritual we were now accused of lack of patriotism, espionage, defeatist views, sympathizing with the enemy, and similar sins. Very many Jews perished entirely innocently as victims of this wartime calumny. Denunciation by the first best good-for-nothing would be sufficient for a death sentence. On this ground there could not help thriving luxuriantly all manner of blackmail, extortions of money from the Jews on pain of denunciation as spies, profiteers, etc.

All these fresh horrors and calamities of Russian Jewry continued unabated until the outbreak of the revolution of 1917.

At the end of March, 1917, three years after the decision of the Kiev Supreme Court to exclude me from the profession, I was at last able to file

an appeal with the Supreme Court of the Russian Republic (the Senate). My case was heard by the joint session of the First and Appellate Divisions of the Senate on May 20 and 27. Among the members of this session there was not one who had been appointed a Senator after the revolution. Every one of them was the same old member of the Senate who had been there under the Tsar's régime and lived through the Shcheglovitov period. Now, however, they were free from the pressure of the Tsar's régime and the dominance of Shcheglovitov, and could follow the dictates of their conscience.

My case was reviewed by that distinguished jurist, Senator Petropavlovski, and the conclusion was formulated by the Chief Attorney of the Supreme Court, ("Oberprokuror"), Senator Reinke.

On this occasion the judgment of my actions was turned into a judgment of the actions of the Kiev prosecuting authorities and the Kiev Supreme Court. The Senate held that in my case there had been tolerated not only irregularities, but *manifest perversions* of justice punishable under the criminal code! In view of these facts explanations were demanded from the prosecutor and the Supreme Court in Kiev. *There was to be a trial of those who had tried and convicted me.* This trial, however, was never to be, as the ensuing revolutionary turmoil soon drove Russia into the maelstrom of anarchy and chaos. And with the advent of the Bolsheviki the "bourgeois justice" and the Senate which stood at its head were entirely repudiated and liquidated.

The second part of the decision of the Senate was devoted to a careful review and appraisal of my

actions in investigating the Yushchinski murder. The Senate held that my interest in this case, "in which the question of ritual murder was involved, thus casting a slur upon the whole Jewish nation," was "perfectly natural." My activity, in the opinion of the Senate, could proceed only "from the best motives, to get at the bottom of the case and remove the blot of shame from his native race." The Senate furthermore handed down its authoritative opinion to the effect that the undertaking of such a private investigation was entirely lawful and permissible for any attorney at law in general, and counsel for the defense in particular. In view of all these circumstances the Senate found that there had been nothing reprehensible in my actions and it dismissed my case on the ground that there was no cause whatever for it.

My rights were thus restored. But I was not destined to resume my legal practice again within the next few years. . . .

In the beginning of 1918 the Provisional Ukrainian Parliament, the so-called "Central Rada," chose the first "Ukrainian General Court," the highest court of appeals, corresponding, as far as its object was concerned, to the former Russian Senate and with its jurisdiction covering Ukraine. Soon after this court was renamed, on the pattern of the former Russian Senate, the "Senate." To the honor of the Central Rada it should be stated that among its first choices for this distinguished body were those members of the Kiev Circuit Court and Kiev Supreme Court who had had the manhood to go against the dictates of Shcheglovitov in the Beiliss

case. I also was honored by being chosen by the Central Rada a member of this highest court.

We then intended to re-open the Yushchinski investigation as soon as possible, but events were marching with a swiftness fairly staggering! In the fall of 1918 occurred the uprising against the Hetman's régime, and he had to give way to the Ukrainian Directory. But in the beginning of February, 1919, Kiev was already captured by the Bolsheviki. I happened to be in Odessa at that time. From that city I went to Paris, destined to become—perhaps for a long time—an emigré and a wanderer.

After I had left Ukraine, I read in the papers in the fall of 1919 if I am not mistaken, a report about the Bolsheviki having shot Vera Cheberiak in Kiev. I regret to be unable to furnish exact data regarding the circumstances which could have prompted this decision to execute the woman who guarded all the secrets of Andrew Yushchinski's murder. Later, while already in New York, in December, 1922, I learned again from the newspapers that a similar fate, i.e. shooting, had overtaken the brother of Vera Cheberiak, Peter Singaievski. Judgment ought to be withheld as to these two acts of Bolshevist "short shrift" until it will be possible to investigate carefully all the circumstances which accompanied these executions.

As regards the attitude of the Bolsheviki in general toward the Yushchinski murder case, there could be no doubt, of course, *a priori,* that they were perfectly willing to expose, if possible, all the secrets of the Beiliss case, in so far as it served to illustrate the abuses and injustice of the old régime. *Wherever it is a question of condemning the old*

*Russian régime, the Bolsheviki, needless to say, are above reproach.* I regret to say, however, that I have no data in my possession at present to show what has actually been accomplished by the Bolsheviki, if anything, in solving all the mysteries of the Yushchinski murder case. All my information on this score is confined to what has been told me by Attorney Vilenski when we met in Berlin in 1921. I then learned that, when the Bolsheviki took Kiev in 1919, they asked Vilenski to assist them in an attempt to solve the whole mystery and to bring the murderers of Yushchinski to justice. Vilenski, it goes without saying, expressed his readiness to take part in this important and necessary work. Soon, however, some more urgent business compelled the Bolsheviki to postpone this undertaking. Later, again, without consulting Vilenski and without any knowledge on his part, the Bolsheviki shot Vera Cheberiak. Soon afterwards Vilenski left Russia and took up his residence in Berlin. At this juncture the story breaks off.

In summing up these reminiscences of my part in the Beiliss drama, I can state with a clear conscience that the private investigation in the case of the Yushchinski murder, an investigation in which I had to play the leading and responsible part, yielded most important results in throwing light upon this ghastly crime. All the painful experiences and vicissitudes which fell to my lot, as the price I had to pay for my efforts in this case, are compensated by the realization that these efforts brought many a dark chapter of that case to light.

Even though Brazul-Brushkovski may at first have followed the wrong clues, his work neverthe-

less brought us later on upon the right track. Had it not been for that trip to Kharkov, for the publication of the Cheberiak version about the guilt of Mifle, and the other tangible results of that trip, the Beiliss case would have been tried in accordance with the original indictment. Vera Cheberiak would have appeared before the court as a "woman of unstained character." We should have been without the evidence gathered by Krasovski. We would not even have suspected what an important witness for the defense Police Lieutenant Kirichenko was to be. Nor would we have had a basis for those brilliant newspaper attacks of the late Pikhno and Shulgin on the Shcheglovitov and Chaplinski brand of justice.

To our greatest regret we must say that the persons who stood at the head of the Jewish community of Kiev at that period did not show sufficient courage in pushing the case. All my appeals that a large amount of money be collected and set aside as a reward, to be advertised far and wide, for the discovery of the actual murderers, remained as a voice crying in the wilderness. Most of the members of the Beiliss commission were fearful lest such "meddling" in the investigation of the crime should only provoke new calamities and persecutions of the Jews. Intimidated by the general state of oppression and outlawry in which we lived in Tsarist Russia, the members of our commission did not even dare to insist upon the most elementary right of the human being, sanctioned through all the ages—the right of self-defense. They did not consider that this was not a question merely of the conviction or acquittal of Beiliss, but of the "shame-

ful accusation of his native race," as the Senate had expressed it in its decision on my case. No experts and scholars of the Jewish religion, and no argument of counsel for the defense at the trial were able to remove this blot completely. It could easily have been foretold that there would be found by the prosecution plenty of such men as Pranaitis, Sikorski, Shmakov and Zamyslovski. . . . Had Beiliss even been acquitted upon trial according to the original act of accusation, it would not have prevented the Jewish race from being left "under suspicion."

The only thing that might have served as a convincing answer to this abominable charge would have been the fullest exposure of the crime. This was the object toward which every effort ought to have been directed. This is what that splendid magistrate, Fenenko, considered to be the duty of Jewry in that case, and also such an experienced Jewish public leader as Sliozberg and a host of other Jewish leaders in Petrograd, Moscow and all over Russia, outside of Kiev. Here, the local Jewish representatives were *afraid* to wage open war on Shcheglovitov and Chaplinski.

My single-handedness in this fight, as well as lack of the necessary funds for me to push the investigation, were responsible for the fact that we failed to have Vera Cheberiak and her confederates brought before the bar of justice as the slayers of Andrew Yushchinski. It is sufficient to point out that, after Krasovski and his family had been utterly ruined through persecution, imprisonment and other calamities they had to suffer for their assistance to our cause, the representatives of Kiev

Jewry did not even *after the conclusion of the Beiliss case have the courage* to offer him some material assistance! Generally speaking, all such worries, involving not only real but even merely imaginary personal risk, were graciously left exclusively to myself. . . .

Viewed in a purely *formal* sense, the commission was right, to be sure. It had not *asked* me to invite Krasovski to help with our investigation. It had from the outset concentrated all its efforts on the official defense of Beiliss at the trial only, and it is only fair to say that it accomplished a great deal *in this respect.* It is true, when the late Pikhno had published in his paper the facts obtained in the Krasovski investigation the commission, as well as the representatives of the Jewish and progressive Gentile population of the city, expressed their immense satisfaction with these successful results of the private investigation. But *later,* when it was found that Shcheglovitov did not want to indict Vera Cheberiak and her crew for the murder of Yushchinski, and when Beiliss was indicted, the commission reverted to its original viewpoint of passivity as regards the private investigation. "Victors are not judged," as the saying goes, and as for the vanquished, well—they have no followers. . . .

When, under the cross-fire of Israel's foes, I had to offer my testimony at the trial, and later on, when I myself was tried before the Kiev Circuit and Supreme Courts, I derived a great deal of satisfaction from the realization that I was the only one to render an accounting for all my actions and steps in the Beiliss case. And my colleagues of the commission thus remained unscathed and free from the

persecution of foes, as well as from the criticism of friends. . . .

With a feeling of profound satisfaction and genuine pride I accepted the one as well as the other. The consciousness of having done my duty to the best of my ability afforded me consolation during those sad days when even among the Jews, especially in Kiev, there were heard reproaches because of the very fact that I had carried on a private investigation. At that time, however, I was not in a position, of course, to offer exhaustive explanations about my actions, about the part played by Fenenko, etc.

To-day my explanations can no longer harm anybody. I have decided, therefore, to tell the true story of that investigation in these pages and to leave it to the judgment of Israel.

As for my own part in this investigation, I am prepared to plead guilty only to having been unable, because of the limitations of human strength and lack of effective support by the Jews of Kiev, to carry out in full measure, i.e., bring to a consummation, the difficult task that had fallen to my lot.

## *APPENDIX*

### DECISION OF THE SUPREME COURT OF RUSSIA IN THE CASE OF ARNOLD D. MARGOLIN

The Senate (i.e., the highest court of Russia), at its session of May 20, 1917, set aside the verdict of the Kiev Supreme Court in the disciplinary trial of A. D. Margolin, as an outgrowth of the Beiliss case.

The first part of the Senate decision reviews the formal violations of the law which had been admitted in the case against Margolin. In view of these violations of the law regarding legal jurisdiction, terms, etc., and because of an essential miscarriage of justice, the Senate ordered the Circuit and Supreme Courts of Kiev to submit explanations.

The second part of the Senate decision deals with the substance of the charges brought against A. D. Margolin. It reads:

"The continuation of this case and its transfer to the jurisdiction of the Petrograd Bar Association would serve no purpose, in view of the fact that the Senate, having examined the circumstances surrounding the actions charged against Margolin by the Circuit and Supreme Courts, has arrived at the conclusion that there is not a single element of reprehensibility in these actions.

"The charge that Margolin had attempted to persuade Vera Cheberiak to assume, for a monetary consideration, the responsibility for the murder of Yushchinski, is not only not substantiated by the evidence in the case, but, on the contrary, absolutely refuted, because the statements of Vera Cheberiak to this effect, after a sufficient measure of light has been thrown upon her moral character in connection with the Yushchinski case, are not only untrustworthy, but positively refuted by the testimony of witnesses and the explanations of Margolin himself, agreeing with all the circumstances in the case.

"The Circuit Court, in its decision of December 7, 1913, merely expresses a 'surmise' that the object of Margolin's interviews with Cheberiak must have been an attempt to shift the responsibility from Mendel Beiliss and to destroy the version of the ritual character of the murder of Yushchinski, and that Margolin had already at the

time of these interviews intended to act as counsel for the defense of Beiliss. In accordance with previous decisions of the Senate, however, the basing of a verdict or decision—were it even only in disciplinary cases—upon mere surmises, instead of positively established fact, as demanded by Article 766 of the Statutes on Criminal Procedure, cannot be tolerated and constitutes a flagrant violation of the law (see decision of joint session of Appellate Divisions, 1882, No. 88, and of joint session of the First and Appellate Divisions, February 13, 1916, No. 159). Not less of a violation of the law is seen in the decision of the Kiev Supreme Court of March 22, 1914, which regards as indubitable evidence the circumstance that Margolin's interviews with Vera Cheberiak, according to the opinion of the Circuit Court of December 7, 1913, were supposed to have consisted chiefly in attempts to bribe Cheberiak to give false testimony to the judicial authorities. There is no such categorical statement in that decision of the Circuit Court, and the Supreme Court has in this case admitted an obvious perversion of the actual facts.

"As regards the interviews of Margolin and Cheberiak, which actually did take place in the manner described and confirmed by the explanations of Margolin and the testimony of witnesses, they do not constitute anything reprehensible on the part of Margolin in his capacity of attorney at law, nor do they represent a violation of his professional duties. If Margolin, in his capacity as a public leader and, especially, as a prominent representative of the Jewish community, betrayed an interest in the case of the Yushchinski murder, in which the question of the ritual character of the murder was involved, casting a slur upon the entire Jewish nation, it was perfectly natural and could come only from the best motives, i.e., to get at the bottom of the case and remove the blot of shame from his native race. In itself, the undertaking of such a private investigation, aiming to elucidate all the facts in a case and to collect the evidence required for that purpose, cannot be regarded as an act of reprehensible character for an attorney at law (irrespective of whether he acted at that time as counsel for the defense or not), unless the unlawful object of such investigation has been proven. But Margolin, in holding his interviews with Vera Cheberiak in the manner in which they have been revealed by the evidence in the case, has committed no act that could prejudice the public trust in his integrity; and should he even have acted in this case as counsel for the defense of Beiliss, his actions, being devoted to the protection of the interests of the defendant in his charge, and containing nothing in themselves that would be contrary to law, are free from all elements of reprehensibility.

"The Senate, therefore, orders to set aside the decisions of the

joint session of the departments of the Kiev Supreme Court of March 22, 1914, and of the joint session of the divisions of the Kiev Circuit Court of December 7, 1913, and to discontinue the case of attorney at law Margolin; an ukase to this effect to be sent, together with the return of the case, in two volumes, to the Kiev Supreme Court."

*Pravo,* No. 17, 1917, Petrograd.

# PART III

# JEWISH IMMIGRANT LIFE IN THE NEW WORLD

# CHAPTER XII

## ABOARD SHIP WITH COLUMBUS

It was an Irish wit, Oscar Wilde, who once said of America that "her youth is her oldest tradition." That was several decades before scientists deciphered a Maya calendar in Yucatan which dates back more than three centuries before the Christian era, and assured us that the Maya astronomers took carefully into account the theory of "relativity" that was rediscovered in Europe a few years ago.

With a further development of archeological research in Mexico and adjoining regions Americans will doubtless acquire an entirely new sense of their continent as the seat of civilizations which flourished as long ago as the most ancient cities and empires of the Old World. One effect of this may be to make Americans more conscious of how recently they came upon a well worn stage of human activity.

Meanwhile there are three groups of foreign-born Americans and their descendants who take a natural and lively interest in associating their ancestors with the discovery of this continent by Europeans within the period of authentic history. Italians, for example, have little need to argue that Christopher Columbus first sailed from Europe to the West Indies, showing the way across trackless seas for all of the Old World to follow. Public opinion has also gone far toward accepting the data which indicates that Leif Ericson came upon the

shores of temperate America in the year 1000 and made his discovery known to fellow Norsemen in Greenland. Most recently on the list of contemporaries who actively identify their ancestral stock with the first days of American history are the Jews.

Luis de Santangel, favorite of King Ferdinand and head of Spain's financial system, was most prominent amongst those who strove to have the Spanish monarchs facilitate the first voyage of Columbus. Tragically enough while 300,000 Jews were expelled from the country in this same year 1492 and many of his own relatives slain or despoiled of their property, Luis de Santangel continued his influence with the king and gave from his private purse to equip the little fleet that Columbus captained. There were aboard the three little ships many Maranos, as Spaniards of Jewish origin were called. Some of them were doubtless attracted by the great adventure impending, while others saw in the voyage a way to escape from religious persecution at home. One of these Jews was Luis de Tares, a master of many languages whom Columbus invited to act as his chief interpreter. Another was Rodrigo Sanchez, as also were the two physicians, Bernal and Marco. Luis de Tares is said to have been the first to come ashore when land was reached in the West Indies. The same man is credited with having first observed the use made of tobacco by the native Americans.

It is interesting to reflect that the Jewish immigrants of the present generation should be cultivating the same weed in the Connecticut valley and elsewhere in the United States on Jewish farms.

# CHAPTER XIII

## BACK TO THE PLOW

SEVENTY-FIVE thousand Jewish immigrants and their families are engaged at tilling the soil of the United States. While the extent of their agricultural and pastoral operations is still small in comparison with those days when the tribes of Israel and Judah tended their flocks and gleaned yearly harvests from the plains and hillsides of Asia Minor, this movement of an ancient people back to the soil has already embraced 1,000,000 American acres with a land and equipment value of something like $100,000,000.

To understand the scope and meaning of this achievement it must be kept in mind that these new farmers came to the United States from countries in Eastern Europe where prejudice and peresecution have for many generations forbidden the Jew not only to own land, but even to dwell in rural districts. These immigrant farmers return to the soil after a lapse of centuries during which all the power of mistaken governments was exerted to divorce the race from everything pertaining to agriculture.

During the year 1922 the Jewish Agricultural Society was appealed to by 1,160 persons who wished to turn away from commerce and the professions and join the oldest calling known to man. Through the same agency 104 of these applicants

concluded the purchase of farms; loans were arranged for 34 others, and the rest were given expert advice in how to proceed toward the realization of their desires. Merchants, manufacturers, wage earners, ex-soldiers—persons from every strata of urban society—comprised the total of those who came to the Society for assistance.

Of the 17,000 Jews engaged in farming in New York State, those in the southeastern districts of Ulster, Sullivan and Delaware counties appear to favor specialization in poultry, dairy produce and vegetables. In the central counties dairy products and alfalfa receive most attention, while in the western counties wheat growing, fruit culture and general cropping are common. Poultry is given as the main concern of those in Rockland County.

Connecticut and New Jersey are said to contain some 9,000 Jewish farmers, of whom slightly more than half are in the first named state. Tobacco growing, poultry and dairy products are favorites among those in Connecticut, with the Jersey farmers substituting fruit and vegetables for tobacco. Of the much smaller number of Jews given to farming in Massachusetts, those in the eastern counties specialize in dairy products, poultry and vegetables, to which those elsewhere in the State sometimes add tobacco. Among mid-western States, Michigan, Ohio, Illinois and Wisconsin have the largest numbers of Jews on the land, with California leading in the Far West.

Jewish farmers, east and west, were among the first to attempt co-operative selling of crops and purchase of supplies, and to organize cooperative credit unions. Only recently, following the spread

of the cooperative idea among farmers generally, have the Jews abandoned their own organizations and joined with various countrywide cooperative enterprises, affiliated with the American Farm Bureau Federation.

The Jewish Agricultural Society serves as a regulating agency in the present drift of Jews toward the land. Its headquarters are in New York City, and branch offices are maintained in Philadelphia, Chicago and Ellenville, N. Y. The society publishes a monthly journal, known as "The Jewish Farmer," which contains not only general information of value to farmers, but offers something like a preparatory course to prospective farmers by giving its readers a true perspective of and rational outlook upon the business of farming.

Discussing the economic crisis which overtook farming in 1922, and its particular effect upon Jews in agriculture, the Society's report for the year states:

"As a class, Jewish farmers have hardly been long enough established on American soil to come through so critical a period with poise and equilibrium. Yet, despite a few defections, an individual failure here and there, the movement in general has suffered no setback. The Jew is inured to privation and hardship. Ruthless fate has accustomed him to a bitter struggle for existence. It is just this familiarity with the stern realities of life that has enabled the Jewish farmer to pull through these trying times."

# CHAPTER XIV

## WHERE JEWISH LETTERS THRIVE

WHILE the Jewish immigrant population of New York has settled throughout Manhattan, the Bronx and Brooklyn, and there are synagogues in every part of the city, there is only one center of Jewish literary life. This is bounded by East Broadway, the Bowery, Canal and Grand Streets.

Jewish literary men, dramatists, journalists, artists of all sorts, crowd the famous but nameless restaurant at 141 Canal Street. Situated a few minutes' walk from the chief Yiddish newspapers, this restaurant is frequented at all hours of the day by representatives of the Jewish literary world. Here one often finds members of the editorial staffs of the various papers and periodicals, social workers, poets and organization leaders. They gather daily to exchange views, to discuss various problems of the day, both political and social, topics of general and special Jewish interest.

Thanks to this daily contact, the Jewish publicists in New York, despite their naturally diverse political views and tendencies, rub elbows and lose some of their angularities. In this resort, one may hear all the gossip about the intimate lives of the East Side writers. Those who still have to make their fame, as well as the old celebrities who are now in decline, do not patronize this popular restaurant,

but gather to dine and fraternize in a more modest setting on East Broadway.

The biggest collection of Yiddish books on sale is to be found, perhaps, at the well known Maisel Book Store, founded 30 years ago. Yiddish is the language spoken and read by unassimilated Jewish masses in the United States as well as in Eastern Europe. Of comparatively recent origin, historically, it is today the vehicle of an extensive and fast growing literature. Hebrew continues the language of religious services, but, despite its highly developed modern literature, and its use in conversation by some groups of intellectuals, it is not employed in everyday life anywhere outside of Palestine and some other oriental countries.

A glance through the list of books in Yiddish compiled by Miss Jennie Meyerowitz, librarian (Library Journal, April 15, 1923), conveys an idea of the large number of works published during the 20 years representing the development of Yiddish literature. The greatest demand still is for the works of the famous folk-writer and humorist, the late Sholom Alechem. As a general rule, the works of the most popular Yiddish writers (not excepting even Peretz, Reisen and Sholom Asch) are printed in comparatively small editions—from one to five thousand copies.

Among the aids to American assimilation printed in Yiddish is the "Constitution of the United States" (translated by R. Fink and bound together with his "American Citizen"). Important works on the history of the United States are those of A. Thomas, translated, and the original Yiddish works of A. Cahan, Philip Krantz and Hillel Rogoff.

There is also in Yiddish a book on civics by H. Rogoff, entitled "How America Is Governed." "The History of the Jews in America" is the title of a scholarly and interesting work by P. Wiernik. The same subject is also treated by George Cohen in his "The Jews in the Making of America," being a contribution to the Knights of Columbus Racial Contribution Series.

Within the last two decades some of the best works of the world's greatest writers have been rendered into Yiddish. Among these are the works of Shakespeare and Cervantes, Moliere, Goethe, Schiller, Heine and Victor Hugo. There are also translations into Yiddish of the philosophical and scientific works of Spinoza, John Stuart Mills, Darwin, Herbert Spencer, P. Prudhon, Karl Marx and Lassalle. The works of Nietzsche and other modern philosophers are also represented. The list of fiction includes such famous works and authors as Harriet Beecher Stowe's "Uncle Tom's Cabin," Jules Verne, James Fenimore Cooper, Edgar Allan Poe, Mark Twain, Oscar Wilde, Kipling and Jack London. From the French, the works of Flaubert, Dumas, Eugene Sue, Daudet, Zola, Maupassant, Anatole France, Mirbeau and other celebrities are now available in Yiddish translations. Scandinavian literature is representd by translations of Björnstjerne Björnson, Ibsen, Hamsun; German, by Schiller, Heine, Goethe, Auerbach, Hauptmann, Kellermann, Schnitzler, Wassermann and others. The Italian D'Annunzio and the East Indian Tagore are also to be had.

It is needless to say that the more popular Russian authors are well represented in Yiddish trans-

lations. Tolstoi, Turgenev, Dostoievsky, Tchekhov and Artzybashev are the most read among them. Of Polish authors available in Yiddish are Sienkewicz, Orzeskowa, Przybyszewsky. Vinnichenko, the prominent Ukrainian writer, can also be had in Yiddish.

The greatest demand for books in Yiddish was observable during the War, when high wages enabled the workers to buy what they craved. The post-war lowering of wages and recent decrease in immigration have checked these sales somewhat. The Library of Congress in Washington has a Jewish department, where there are collected about 17,000 books in Hebrew and about 3,000 books in Yiddish. Dr. Israel Schapiro is the chief of this department. There is also a special Jewish division in the New York Public Library, headed by Dr. Joshua Bloch, a man of authority in the Jewish field. The latter contains a collection of about 40,000 books in all languages, nearly half of which are in Hebrew and Yiddish. It boasts of having the richest collection of Jewish periodicals to be found anywhere. We must also mention the late L. Freidus, who did so much to develop the Jewish Division of the New York Public Library.

# CHAPTER XV

## THE YIDDISH THEATRE

ONE who seeks the origin of the Yiddish theatre must go back as far as the Middle Ages, when various popular mystery plays were produced on certain holidays in the primitive Yiddish speech then used by the Jewish masses. These productions were often of the same type as the mystery plays commonly shown on the Christian stage during the same period.

The modern Yiddish theatre, however, is only about fifty years old. It took form in the southern part of what was then the Russian Empire, and it was due mainly to the rare talent and enterprise of Abraham Goldfaden. Goldfaden was not only a playwright but a composer and author as well. He wrote dramas, comedies and operettas, both text and music, and then participated in their stage presentation. Yet Tsarist Russia gave no encouragement to the development of the Yiddish theatre. Goldfaden was hampered at every turn by local authorities hostile to his enterprise, until he finally emigrated from Russia and, after a short sojourn in Rumania, came to the United States. He arrived in America some forty years ago, when the first considerable number of Jewish refugees from persecution in Eastern Europe made their appearance in this country.

Lack of material resources and the time required

for the new Jewish immigrants sufficiently to increase in number and interest themselves in Yiddish drama brought to Goldfaden many years of initial hardship and disappointment in the New World. It was only after a prolonged struggle and many costly failures that he and those who shared his faith were able to found the modern Yiddish theatre and make it the great factor which it has become in the cultural life of American Jews.

Flourishing examples of the Yiddish playhouse may be found today in nearly every American center where the Jewish population is large enough to warrant one, such as New York, Chicago, Philadelphia and Boston. As might be supposed, the best and most numerous theatres are situated in New York. Several of these institutions, like the National, Thomashefsky and Kessler theatres, are located in the downtown sections of Second Avenue, Houston Street and Second Street. Others will be found on the Bowery near Delancey and Houston Streets, in Harlem, in the Bronx and in Brooklyn. Some of the best drama has been produced at the Yiddish Art Theatre in Madison Square, at the Irving Place Theatre, and at the New Thomashefsky Theatre on upper Broadway.

It is of interest to know that the Yiddish stage in America has not only produced many Jewish artists but has drawn to itself a number of non-Jewish players who made a special study of the Yiddish language and are now classed as favorites with their new audiences. On the other hand many Jewish artists, of whom Bertha Kalisch, Ben Ami and Moskowitz are examples, shone first in the

Yiddish theatres before they became known as stars of the English language stage.

With so many theatres of this type in operation during a large part of the year, it is natural to find here are a number of playwrights who work exclusively for the Yiddish stage. Their work portrays both Jewish and non-Jewish life and depicts the social and political customs and institutions of various countries. In its earlier forms it was inevitable that the Yiddish drama should concern itself very largely with Jewish life in the far away environment of Russia, Rumania and other principal sources of Jewish immigration. At that time and still later the adventurous experiences of newly arrived immigrants in America formed a common theme of Yiddish plays. It often happened that the action began in Ukraine, Lithuania or some other part of the "Pale of Settlement" in old Russia, only to find its climax and conclusion in the land of promise on this side of the Atlantic.

During the past two decades, however, such a marked change has come over the Yiddish stage that its plays have virtually abandoned the old background and may be said to deal with American scenes and themes almost exclusively. In these modern plays an audience sees depicted the intercourse in this country between older and newer immigrants, between the foreign-born and the native-born Jews, with their differences in manner, custom, psychology and even in speech, dramatically revealed. The American-born Jews portrayed in this way are nearly always seen as ardent patriots for whom the United States is not only the land of promise but their own country. Patriotic songs

and characteristic American dances are frequently incorporated in dramas and comedies and the national colors displayed upon every appropriate occasion. Pathos and humor are often nicely balanced in plays which depict the swift strides in assimilation taken by Jews in America and the unavoidable clashes of taste and outlook which occur between the older and younger generations.

In addition to stage pictures of life in this country as it particularly affects the Jewish population, many of the Yiddish plays raise problems of universal human application; some are philosophical in concept and treatment. The best of English, German, and Russian plays have been translated into Yiddish and are an essential part of the current repertoire of these theatres. The works of Shakespeare, Lessing, Ibsen, Tolstoi, Tchekhov and Andreev are among the standard drama frequently produced on the Yiddish stage in America.

# CHAPTER XVI

## NEW AMERICAN ATHLETES

WHILE still in a glow of enthusiasm created by the spectacle of Benny Leonard and Lew Tendler contending for Championship honors in a prize fight, a writer in the *New York Sun and Globe* recently said, "It is in the prize ring that the Jew has shown himself at his best." If that statement from a representative American newspaper ever finds its way back to the lands in Eastern Europe from which Jews have mainly come to the United States during the past quarter century, it will create there the greatest astonishment.

There is nothing magical, however, in this transformation of a people from the poorest types of physical development to a place of equal rank in the athletic world. The oldest practice of mankind is to do and become what custom directs and circumstance permits. Custom and circumstance east of Danzig for many generations forbade the Jew to stretch his muscles and expand his chest. Law, ukase and decree denied his access to green fields and forests, drove him into the crowded alleys of the "Pale of Settlement," diverted his mind to religious broodings and filled his soul with boundless contempt for physical force, and for those who exercise it. So it came about that if any lad, following his religious confirmation at the age of thirteen, retained a normal interest in play, he was looked upon as frivolous or defective.

Jews who escaped from that atmosphere of medieval cruelty and suffocation and made their way to America very soon learned that custom and circumstance were completely reversed for them on this side of the ocean. They found themselves in a land where labor in any field and vigorous play in every field is expected of all the inhabitants—where those who stand aside with ears closed to the invitation to do as others do form the only castes that the nation recognizes.

It was not for the first of the refugees, their nerves still taut with inherited distrust and their habits cast in molds of tyrannous social repression, to take a place at one swift bound in the front rank of American athletics. The old cults of pure reason and religion still held them tight as pursuits more worthy and secure than any others in a treacherous world. But if the first arrivals drew off in bewildered distrust from American baseball, football, boxing, rowing and cinderpath contests, their children did not. This world of sport, in which the foul blow is an outlaw and strict merit is enthroned, appealed to the young Jew immediately. His father, he might suspect, suffered by never having known it. Here, the son would take his place and prove his worth.

The result of that decision is that twenty-five years after the first big migration of this people from the lands of worst oppression to the land of greatest freedom, the Jewish name alternates with the Irish, German, Italian, British, Greek and other racial names in the changing list of champions in American physical prowess.

# CHAPTER XVII

## THE YIDDISH PRESS IN THE UNITED STATES

THE necessity of disseminating among the Gentiles reliable information concerning the Jews is a generally recognized truism of the Jewish press. The struggle with prejudice and calumny spread by evil-minded agitators among the ignorant masses must be directed chiefly against this ignorance on the part of the *non-Jewish population throughout the world.*

First, however, we Jews ourselves must know the actual facts of our existence. The scarcity of reliable information and correct data as to our life in the different countries of the diaspora often leads us to fallacious conclusions and erroneous judgments, with the result that we very frequently take steps which prove fatal and irreparable.

One of the most striking examples of our own ignorance is the impression current among a great many Jews that almost the entire Yiddish press in the United States is of an extreme, radical tendency, with a marked preference and sympathy for the Communist Soviet régime which now rules most of the territory of the former Russian Empire. This notion, like so many others, we have borrowed from the Gentiles, true to the law of minority assimilation by the majority of the population in each particular country.

The fact is that the Jews of Russia, Ukraine,

Crimea, the Caucasus, and White Russia, are deprived of the opportunity to read Yiddish newspapers published abroad, since they are isolated behind the walls of the Soviet "paradise" and shut off from all printed matter which appears outside that wall. The Polish and Lithuanian Jews read mostly their own Yiddish papers. As regards the Jews of Western Europe, there are almost none who read the Yiddish press. This explains why these Jews, having no reliable information about the actual condition and nature of the Yiddish press in the United States, form their opinions about this press on the basis of *general rumor*. The origin of such rumor is very dark. Mostly it is fabricated by the anti-Semites of all countries, who stand united in calumniating the Jews and charging them with every imaginable vice and crime, real and fictitious, but more particularly with the responsibility for having created and supporting Bolshevism, as a means of seizing the power and ruling throughout the world.

But even among American Jews, especially those who do not read the Yiddish papers, this prejudice against the alleged extremism of the Yiddish press has become very firmly rooted. The only American Jews who do have really accurate information on this subject are those relatively few who are in direct contact with Yiddish journalism and literature in one way or another.

Closer acquaintance with the Yiddish press, and with the figures and statistics given in "Ayer's Newspaper Annual Directories," on the circulation of newspapers in the United States, will reveal an

excess of periodicals of conservative and progressive tendencies over the radical press.

There are in the United States today fourteen Yiddish dailies and over a score of weeklies and monthlies. The only Yiddish paper in the United States which approves and champions the platform and tactics of the Communist Party now ruling most of the territory of the former Russian Empire is the *Freiheit,* one of the five Yiddish dailies published in the city of New York. The influence of the *Freiheit* does not appear to be very considerable. Its circulation is small when compared with each of the other four dailies in New York.

The *Forward,* which is the foremost Jewish Socialist newspaper of the world, although radical in its tendency, is utterly opposed to the Russian Soviet régime and its practices. There is going on a virulent and relentless polemical duel between the *Forward* and the *Freiheit.* The circulation of the *Forward* is in excess of 150,000.

The progressive *Day* is the leading Jewish liberal paper. This daily, although politically independent, is of a general democratic tendency. Its circulation is about 70,000.

The *Naye Warheit,* an illustrated daily in tabloid form, is the latest addition to the Yiddish daily press of New York City. It is liberal in tendency, and its circulation is growing.

The *Jewish Morning Journal,* with a circulation of about 90,000, is the leading Yiddish Republican organ in this country. The other conservative Yiddish daily in New York, the *Jewish Daily News,* has a circulation of about 60,000. This paper is independent regarding general American politics.

The latest conservative Yiddish daily which recently appeared in New York City is the *Light of Israel.*

The reader will now be able to compare for himself the circulation of the Yiddish conservative and progressive dailies, on the one hand, with that of the radical dailies, on the other, in the city of New York. But the radical press, in turn, also has its differing shades of opinion. The figures we have just cited speak for themselves.

The seven Yiddish dailies published out of New York City are as follows:

Chicago has three Yiddish dailies, the conservative *Chicago Courier,* the progressive *Chicago Daily Press,* and a special Chicago edition of the radical New York *Forward.* Of these three papers, the *Chicago Courier* has the largest circulation.

Philadelphia has only one daily paper, the conservative *Jewish World.* There is also one daily Yiddish paper in Cleveland, the progressive *Jewish World.* At Los Angeles, a new Yiddish daily has recently appeared, the *Jewish Star.* This is published by the same people who until recently were behind the conservative Yiddish weekly, the *Jewish Times,* in that city. In Boston appears the daily *Jewish Leader.*

It is obvious, from the facts here cited, that the daily Yiddish press of the United States has a great preponderance of the conservative or moderately liberal tendency over the radical. The same holds true also of the *weekly* Yiddish organs of the press in this country. The *Amerikaner* and *Dos Naye Wort,* of Boston; the *Volksfreund,* of Pittsburgh, Pa.; the *Jewish Record,* of St. Louis; the *Saturday*

*Post,* of Minneapolis; the *Milwaukee Wochenblatt,* of Milwaukee, together with the *Amerikaner,* the *Jewish Gazette,* and the *Brooklyn Brownsville Post,* of New York, are either conservative or progressive, and all of them are very far from being radical.

The only radical Yiddish weeklies of America are published in the city of New York. The largest circulation belongs to the *Gerechtigkeit* (about 48,000), published by the International Ladies' Garment Workers' Union. This weekly is decidedly against all Communist tendencies, and condemns the experiments of Russian Communism. The *Wecker* is a Socialist weekly of moderate "Menshevik" tendency, and outspokenly anti-Communist. And the *Freie Arbeiter—Stimme,* with a tendency toward theoretical anarchist philosophy, is equally hostile to Communism. The only Yiddish weekly which shows a benevolent attitude toward Communism is the *Fortschritt,* which is published by the Amalgamated Clothing Workers' Union of America.

There are in the United States about ten Yiddish monthlies. Most of these are of a general literary character, without a clearly expressed political tendency. The radical *Freund,* published as the monthly organ of the Jewish Workmen's Circle, has a comparatively large circulation. The best of all the Yiddish Socialist monthlies is the *Zukunft,* which has established an excellent reputation for the high literary qualities of its material. As regards its attitude toward the Soviet régime of Russia, this periodical does not hesitate to condemn its negative aspects.

In addition to what has been said thus far, we ought to point out the fact that among the Jewish weeklies and monthlies published in English there is not one with a radical tendency, nor a single Socialist organ.

In the face of all these facts, all assertions about an alleged pernicious "Communist" propaganda by the Jewish press of the United States fall to the ground. They are nothing but a stupid and ridiculous attempt at calumniation, made by a handful of malicious slanderers and swallowed without question by the ignorant and credulous masses.

# CHAPTER XVIII

## THE JEWISH TELEGRAPHIC AGENCY

FOUNDED only six years ago, the Jewish Telegraphic Agency has already succeeded in making itself one of the most important and indispensable institutions of the Jewish national life.

Most of the existing nations of the civilized world began to build their states at a time that knew neither railway nor telegraph. And with these nations, telegraphic agencies came as the apotheosis, as the crowning glory, so to speak, of their national edifice. But the Jewish people have been an exception in this as in so many other respects. We have not only no such things as railways and telegraphs of our own, but not even a territory in which we form anything like a majority of the population. But we have our own telegraphic agency, thus beginning our national renaissance, our national statehood, from the end, building it, as it were, from the roof downward.

It is, however, unquestionably true that an institution such as the J. T. A. is of paramount importance under the existing conditions of Jewish life. Binding together, as it does, with its all-embracing threads every section of Jewry dispersed over all parts of the globe, it becomes of especially great significance as a promoter of spiritual intercourse, through the dissemination of information

concerning all the important events of Jewish life throughout the world.

The J. T. A. maintains its own correspondents in every large center of Jewish life. These correspondents gather all the news concerning Jewish interests and forward them by cable or wireless to the main offices of the J. T. A. in London, New York, Paris, Berlin, Warsaw, and Jerusalem. Thence the news is further distributed to the press.

More than 175 Jewish dailies and weeklies at the present time subscribe to the service of the Jewish Telegraphic Agency, including publications in such far-off places as Australia, India, China, Siberia, South Africa, and the Argentine Republic.

The non-Jewish press likewise has now become accustomed to obtain its information on Jewish problems chiefly through the J. T. A. Both the New York and the London *Times,* the New York *World* and *Evening Post,* the *Manchester Guardian* in England, the *Matin* and *Figaro* in France, and many other European and American periodicals are using the material supplied by the J. T. A. In this way a very serious obstacle to the normal existence of our extra-territorial nation in the lands of the diaspora has, to a certain extent, been successfully removed.

It is not at all unlikely that further progress in wireless methods will enable us in a none too distant future not only to obtain information about our brethren beyond the seas by radio, but also to converse with them through the ether, yes, even to see with our own eyes the scenes of their daily life from afar. Such technical progress in the transmission of sound and sight all over the surface of this ter-

restrial globe may reasonably be expected to lessen more and more the estranging and dividing significance of space and time. And the first step in the direction of such direct communication between the Jews of all countries has undoubtedly been made by the service offered by the J. T. A.

The first to appreciate fully the merits of the J. T. A. were, of course, the Jewish newspapermen and publicists. Previously, one was compelled to read papers of all the countries where Jews dwell, if one wanted to have some conception of the actual conditions of Jewish life throughout the world. It was then inevitable that Jewish news should be localized. To learn the details of the trials and tribulations of the Jews in the former Russian Empire, a person had to read regularly the periodical publications of that country. And as regards information on the progress of Jewish life in South Africa or Australia, for example, it did not even begin to penetrate to other parts of the world, so that we knew practically nothing about the social and economic life, and the customs and manners of our brethren in those corners of the globe.

Today we find a radical and fundamental change in this situation. Every morning the Jewish newspaperman, publicist, communal and social worker, and, generally speaking, every man and woman interested in Jewish affairs, may find on his and her desk the bulletins of the J. T. A., which enable one to enter into communication and closer contact with Jews throughout the world. We are now in a position to learn daily of the important events in Jewish life everywhere within twenty-four hours or less. Every morning we may find in these bulletins some-

thing to inspire the journalist, the writer, the publicist, with ideas and themes for his articles on the most vital and live topics and problems of Jewish life. Every morning we may come across subjects that may call for action.

It is not to be wondered at, therefore, that all the prominent Jewish political leaders and journalists (both Jews and Gentiles) have managed within six years fully to appreciate the value of the work done by the J. T. A. and to establish with it a permanent contact and generous cooperation.

The disasters which have in recent years overwhelmed the Jewish inhabitants of the former Russian Empire; the barring of much Jewish immigration to the United States; the prospects and the practical work for the economic revival of Palestine,—all these things have naturally intensified the gravitation among the Jews towards each other, north and south, east and west, in all the longitudes and latitudes of the earth. Jerusalem and New York, Johannesburg and Buenos Aires, Rio de Janeiro and Mexico City, Berlin, Paris, Vienna, as well as Warsaw, Kief, Kishinev and London,—they all are now daily attracting Jewish attention. The Jews have already managed to leave far behind the oppressive walls of their artificial ghettos, and the notorious "Pale of Settlement" belongs to the sad past. The vast firmament itself is now become the common roof under whose shade the Jews of the world may communicate and have intercourse with one another, freely and unhindered. It is in providing the technical possibility of such intercourse that the great merit of the Jewish Telegraphic Agency consists.

# CHAPTER XIX

## THE ECHO OF THE OLD DIASPORA

"WIE es christelt sich, so jüdelt sich." What an apt saying this is! It reflects a number of typical traits of the Jews in the various countries of the diaspora.

An interminable number of political parties and national groupings used to be a characteristic phenomenon in the Russian Empire, especially during the period from 1903 up to the revolution of 1917.

Side by side with the general Russian political parties, the various nationalities inhabiting the former Russian Empire, such as the Ukrainian, Tartar, Georgian, Lithuanian, Lettish, and so on, formed a vast number of independent national parties. It goes without saying that the Jewish people in Eastern Europe, as we have already had occasion to mention in greater detail previously in this book, likewise formed during the same period several specifically Jewish political parties.

In the United States, on the other hand, with its two-party or, as was the case in the last general election, three-party system, all the different national groups, and the Jewish among them, have adopted this originally British system of political party organization. All these various groups in this country have their own national organizations, associations, etc., but they do not form their own *political* parties, and they act as members of the American political parties, i.e. as American citizens.

At the same time, however, there are in the structure of these Jewish organizations and associations in America certain peculiarities not to be found among the other nationalities in the United States. Among these peculiarities there is one, especially, which seems to be very characteristic and significant, but has not, apparently, attracted sufficient attention. It is the object of this chapter to discuss this characteristic feature of Jewish organized life in the United States.

Among the inhabitants of the former Russian Empire there were quite a number of Greeks, many of whom emigrated to the United States. Still, no one has ever heard of a "Federation of Russian Greeks" or a "Union of Ukrainian Greeks" in the United States. Or, let us take another example. Poland, within its ethnographic boundaries, formed before the World War part of three states—Russia, Austria and Germany. Still, did we ever hear of a division of the Polish group in the United States into separate "Federations" or "Unions" of Russian, Austrian, or German Poles?

The only foreign-born group in the United States which actually does maintain separate federations or unions of that nature is the Jewish. We have here three separate Jewish "Federations" according to *country* of origin: "The Federation of Ukrainian Jews," "The Union of Polish Jews" and "The Federation of Rumanian Jews." In addition to these, we have in this country a vast number of so-called "Landsmannschaften," according to the towns and villages from which the members of these organizations or their parents hail.

It is true, similar organizations or fraternities are to be found also among the Italians, Germans, etc., but these organizations are based on the principle of city of origin. But it will scarcely be possible to discover among the Germans such a thing as a "Moscow Landsmannschaft," although Moscow always had a large German colony, many members of which emigrated to America. Nor will it be possible to find such local organizations among the German colonists from the Volga region and Ukraine now in America. One may find quite a few such Germans from the former Russian Empire now in this country, yet there is no such thing as a German "Saratov Landsmannschaft" or a German "Kherson" or "Alexandrovsk" Club.

How are we to explain this difference in the life of the various foreign-born groups of the United States?

Apparently, the cause must be looked for in the fact that the Jewish nationality has lost its independent political existence as a separate state long ago. Having lived for centuries in the Crimea, Poland, Ukraine, Lithuania, Rumania, and so on, Jewry has managed to identify itself so intimately with the life of those countries that they have all come to be regarded by their Jewish citizens as their natural mother countries. As a matter of fact, it was nearly always due to restrictions in the enjoyment of the most elementary human rights and to persecution and massacres, that these Jews were compelled to leave behind their birthlands and emigrate to America.

It is a different matter when we come to consider the mentality and feelings of those nationalities

which have their own state or had been deprived of an independent state comparatively recently, such as Poland before the World War. These people, while in America, find it perfectly natural to reconcile their American citizenship with a sense of attachment, if not allegiance, to the state from which they originated. They simply ignore the period during which either they themselves or their parents, previous to their emigration to the United States, had lived in a foreign country, as, for instance, the Greeks and the Germans in Russia.

The Jewish immigrants in the United States, however, are faced with the necessity of evolving some kind of synthesis, some kind of compromise between their allegiance to America and their own Jewish nationality, on the one hand, and their attachment to those places where they were born and where they spent their childhood and youth and saw their parents buried, on the other.

These three different demands upon our allegiance or attachment are caused by our unique position among other nations of the world. We are a people without a territory of our own, and so long as we shall not be able to establish for ourselves a national home in Palestine or at some other place, so long as there won't be at least a tiny bit of land where the Jewish nationality could form a majority of the population, just so long our abnormal condition is bound to continue and our denationalization is bound to increase at a geometrical ratio. For it is impossible to maintain a normal, sound, full-blooded national existence without a national center, without a national territory.

# CHAPTER XX

## OLD AND NEW IMMIGRANTS FROM EASTERN EUROPE

### I

PREVIOUS to the War America appeared to the disfranchised and persecuted classes of Eastern European Jewry, who were only stepchildren in the former Russian Empire and Rumania, as a greatly cherished and desirable haven of refuge. As for the more privileged classes of the Jewish population of Eastern Europe, they never took any particular interest in America. These privileged groups of wealthy, successful businessmen, lawyers, doctors, and professional classes, found it comparatively easy to make a comfortable living in the rather backward countries of Eastern Europe, with their ignorant, downtrodden peasantry and ridiculously cheap labor. These privileged classes could afford to live in sumptuous homes, and were able to maintain regular staffs of servants receiving beggarly wages and leading a semi-slavish life.

This contrast between the privileged groups of the Eastern European Jewry and the poverty-stricken Jewish masses, who were groaning under the burdens of oppression and disfranchisement, represented, as it were, a faithful mirror of the whole system of despotic absolutism.

In particular, it was the Jewish masses who found themselves in a condition much worse than

the Gentile peasants and workers. The restrictive legislation passed against the Jews of Russia in the beginning of the eighties of the past century on the one hand, and anti-Semitism and pogroms on the other, were the first and foremost causes of Jewish wholesale emigration to the United States. Of course, the thing which attracted these Jewish immigrants was the fact that there was no inequality tolerated in the United States on the ground of race, creed, or color, and that it therefore afforded them equal opportunities in their struggle for existence.

As regards the better situated classes of Jewry, only few representatives of these classes emigrated to the United States. The well-to-do among them preferred to continue to enrich themselves with that minimum of effort which the backward countries of Eastern Europe permitted. As for the intellectual classes, they were deterred from emigrating by their intimate connection with Russian culture, their loyalty to their native country, and their firm conviction that it was only an insignificant group of Russia's ruling class which was responsible for the reactionary and anti-Semitic policies of the Tsar's government,—that the masses of the people would sooner or later rise in their might and overthrow this ruling caste. Generally speaking, people are likely to show a good deal of attachment to the place they were born in, and it is not so easy for a person to part with his accustomed domicile, where he spent his childhood and where his ancestors lie buried.

The wealthy inhabitants of Eastern Europe, Gentiles as well as Jews, used to make yearly trips

to the health resorts of Austria and Germany. They enjoyed themselves in Paris, rested in Switzerland, and had the opportunity to admire the works of art and classical antiquity in Italy. This was one way in which they spent their money. As for *earning* money, these favored representatives of the pre-war Eastern European bourgeoisie preferred to do so only in countries like Russia and Rumania, with their backward, almost slave-like peasantry and cheap labor, with their indolent, sleepy, luxury-loving landlords, and their corrupt officials, always looking for bribes.

"America is a good country for destitute proletarians," was the usual saying among this self-satisfied bourgeoisie. "America is a country where everybody is compelled to labor hard in the sweat of his brow."

And so only those among the poverty-stricken elements of Eastern Europe who did not fear strenuous toil and found themselves unable to bear any longer the burdens of oppression, insults, contempt, and restrictions, streamed to the United States.

The peasants of Great Russia, Ukraine, Poland, Lithuania, and other parts of the former Russian Empire settled in large numbers in the United States as farmers, farm laborers, and workers in factories, mills, and mines. The first generation of these immigrants preserved its original ways of living, associating mostly with their own countrymen. The second generation, however, as may be seen from past and present experience, adopts American culture and becomes completely Americanized.

Peculiar psychological traits were observed

among those large masses of Jewish immigrants which landed in American ports since the beginning of the eighties of the past century up to the outbreak of the World War, forming a considerable majority of the Jewish population of the United States.

Having gone through experiences such as nightly raids by the police, and other outrages and persecutions which formed an inseparable part of the Jews' life under the Tsarist régime, these people regarded America as a veritable paradise. Many of them, landing on American soil, in their enthusiasm and joy actually bent down and kissed the ground upon which they stepped. Having become citizens of the country which gave them rights in addition to duties, all these former stepchildren and outcasts of the Romanov Empire and Rumania quickly formed a very strong attachment for their adopted country. The American patriotism of these old, pre-war Jewish immigrants is a *fact* which has been demonstrated in all phases of Jewish life in America.

The Great War and the Russian revolution of 1917 brought about radical changes in the political life of Eastern Europe. On the ruins of the Russian Empire there arose new states: Poland, Finland, Lithuania, Latvia, Esthonia. On the remaining territories of the former Empire, following a long period of chaos, anarchy, and national uprisings in Ukraine, the Caucasus, and other sections of the country, there was established the Soviet Government. All those who did not care to submit to the Soviet rule and had the slightest opportunity

to leave the country emigrated to Western Europe and to the United States.

It is obvious that this class of emigrants was composed entirely of city inhabitants. As for the peasants, they could not, under existing conditions, sell out their farms and flee. On the other hand, we must consider that the rural population is naturally less mobile and less adaptable in overcoming the difficulties and obstacles standing in the way of emigrating to far-away countries. As for the city inhabitants, and especially the intellectual classes, only a few among them now belong to the privileged class who happen to be leaders or high officials of the Soviet Government, either as fanatics of the Bolshevist theory or simply as abnormal characters glorying in their newly acquired power and affluence.

Aside from these insignificant exceptions, the overwhelming majority of the intellectual classes who found themselves under the power of the Soviet Government were reduced to a condition of desperate poverty, deprived of all opportunity of earning any kind of living, of educating their children, or carrying on any civilized existence at all. This is a matter of common knowledge—we need not dwell upon this tragedy here.

Particularly hard has been the lot of the Eastern European bourgeoisie during the last years, accustomed as they have been to live in luxury, and having no idea of manual labor. And yet the full force of the persecution by the Soviet authorities was from the very beginning directed against this very class. The result was that they began to flee from Russia, Ukraine, White Russia, the Crimea,

and the Caucasus to foreign countries, at least in those cases where they had been able to conceal successfully some fragment of their former wealth, in the form of money or jewelry, which enabled them to bribe the Soviet officials to obtain permission to leave the country, and to defray the expenses of the trip. A majority of these Jewish and non-Jewish refugees may now be found living in Germany, Austria, France, and other European countries. A very small proportion of these people has been left with the necessary means of subsistence, living, if at all, by the remnants of money or jewelry they have managed to carry out of Russia, and partly on deposits that may still be left to their account in some of the foreign banks from before the revolution.

The mass of these refugees, however, is eking out a miserable existence without hope or prospects, since it is practically impossible for them to find employment, especially at manual labor, under present conditions in Western Europe.

Some of these "has-beens" were fortunate enough to make their way to the United States before the new Immigration Law of July 1, 1924, went into effect. These former Russian landlords, officials, and Jewish as well as non-Jewish capitalists, merchants, manufacturers, representatives of the liberal professions, offer an entirely new type of immigrant in this country, with an altogether different mentality, diametrically opposed to that of the immigrant who came here before the War.

In the following part of this chapter we shall try to describe this new type of Jewish immigrant from Eastern Europe, and endeavor to characterize

properly his thoughts, hopes, sentiments, and experiences.

## II

Among the Eastern European Jewish immigrants of the new type there is only one group that finds employment without much trouble. This fortunate group is made up of musicians and singers, men as well as women. For these people it is sufficient that they be able to play half-way tolerably some kind of musical instrument, or that they have a fair singing voice, to find engagements with the innumerable orchestras and theatres of New York and other large centers in the United States. And if matters are somewhat harder for singers, they nonetheless find it easy to make a living by giving private lessons and private concerts.

The next group of new immigrants to whom the struggle for existence might have been comparatively easy is composed of physicians and dentists. Here, however, they are confronted with an obstacle which most of the States place in the way of foreign practitioners,—the demand that they pass examinations for their diplomas at American schools and universities.

All other groups among the Jewish "new immigrants" are absolutely unadjusted to American conditions. The merchant, lawyer, engineer, newspaperman—none of these classes of recent immigrants are able to find suitable employment in this country. At every turn these people are certain to find themselves handicapped by either a total or

partial ignorance of the English language, which is of course the most indispensable condition to successful work in these particular vocations. The Eastern European merchant and broker, especially, cannot hope to compete here with the native businessman, who knows the ground thoroughly and is, after all, more clever and energetic. As for lawyers or engineers, their case is, for the time being, almost hopeless, since they are confronted with purely formal obstacles which make it impossible for them to practice their former professions for at least the first five years in this country.

The result has been that all these people, all these representatives of what used to be the bourgeois classes in Russia, Ukraine, and other countries of Eastern Europe, find themselves compelled to engage in purely manual labor. Today we find them employed as dishwashers and waiters in restaurants and hotels, assistants and clerks in stores, and in the none too easy occupation of newspaper vendors.

It is obvious that this change of fortune cannot seem pleasant to *this class of immigrants.* This holds especially true of those among them who are no longer young in years, and therefore find it a real hardship to readjust themselves to a new environment. Needless to say, many of these newcomers have not much good to speak for America. Not all of them possess the necessary mental poise and insight *to be fair and to admit* that it is not the fault of America that they are suffering hardships here, but the fault of that catastrophe which has overwhelmed the former Russian Empire as the result of centuries of oppression and slavery, war,

revolution, and the ensuing anarchy and Bolshevism.

In this break-up of their accustomed modes of existence, of their old and deeply rooted habits and prejudices, we have to look for one of the principal reasons which explain the peculiar mentality of the immigrants of the newest type.

Another source of their bitterness and complaints against American conditions lies in their isolation from the true Jewish environment, from the Jewish masses. Like American assimilated Jews, they do not speak or read Yiddish. They settle in such parts of New York, Chicago, Philadelphia, and other Jewish centers, where there are very few Jews. Having little chance to enter Gentile American circles, they are also deprived of mutual communication and intercourse with the old Jewish immigrant masses of America, where they could find so much warmth and spiritual comfort.

We might cite a great many examples showing how prejudiced and unfair is the attitude of these new immigrants toward conditions as they find them in this country. But the scope of the present chapter does not permit anything more than a few of the most characteristic illustrations of what one may see and hear among these latter-day "green-horns."

Along 72nd street, going from Broadway toward Central Park, walk two richly dressed ladies long past the first bloom of youth, conversing in Russian. The experienced observer sees at once that both are Jewesses belonging to the once wealthy Russian bourgeoisie, and now wearing out the remains of their expensive wardrobes. The one complains bitterly to the other about some mutual

friend. "He has been completely Americanized!" she exclaims, in a tone of unmistakable disapproval for this "strange" behavior of their friend. One feels plainly that both these ladies continue to regard old Russia, with its despotic régime, its anti-Semitism and pogroms, as the most desirable place to live in, as almost the Promised Land itself. For over there they had been real *Baryni,* real "ladies," with the fat of the land at their command; but here —well, here they cannot even afford the luxury of keeping servants.

Another illustration: A former Russian-Jewish newspaperman complains about America. He is peeved because the editors of the Russian and Jewish newspapers in New York refuse to answer his letters. "There! Here you have your America!" he exclaims, speaking to the present writer. His attention was then called to the fact that the persons who were remiss in answering his epistles were by no means native Americans, but that they arrived here only a few years ago. It was pointed out to him that the genuine Americans, or those naturalized long ago, are always sure to be prompt with their replies.

Again, another case in point: A Jewish immigrant who had been an engineer in Russia complains: "There is no respect for the intelligentsia, as a class, in America." Now, as a matter of fact, he is right, but only in so far as the fact of having graduated from a university in America means very little in your social standing, while in Russia that would have given a privileged social as well as legal standing even to a Jew. But this person

seems absolutely incapable of realizing that it is precisely in this absence of specially privileged classes that the genuine democratic spirit of America is most clearly shown.

One more illustration: A prominent Russian singer, a former actress of the Imperial Theatres, daughter of a well-known Jewish savant and lawyer, whom I met in New York, tries to persuade me that Yiddish is not a language but a bad jargon. All my attempts to contradict her are futile. She cites one of the most authoritative "Yiddishists" in America, who claims that Yiddish "will exist not more than 20 or 30 years, and will disappear after that without any trace."

I call her attention to the fact that we love everything that is near and dear to us, even knowing that it is not going to last forever. "We know, for instance," I tell her, "that our parents are not going to live forever, and still we love and esteem them." I reproach her for being far from Jewry, and I point out that this is why she does not like or appreciate all that is so dear to Jewry.

My remarks were answered by her in the usual way of the assimilated Russian-Jewish intellectual. "There is only one real Jewish tongue—that is Hebrew, which I don't oppose," said the diva. "Yiddish, however, is a cacophony,"—and she cited some banal examples of "non-euphonious" Yiddish words, such as are always cited, with a similar object, by the Russian anti-Semites.

"Why does *Chaim* hurt your musical ear," I asked her, "While *Don Chaime,* (the name of a prominent Spaniard), sounds pleasant to you?

Why do you dislike the Jewish name *Leiba,* while the *Leib-medic* or *Leib-guard* of Tsarist Russian terminology pleases you?"

A final illustration: We have before us a certain prominent intellectual who can boast of a substantial past as a Jewish public leader in Russia. He pours out his woes because he is unable here to obtain a stipend for his son, who is finishing his education at Columbia University. "In Russia," he laments, "the son of an intellectual and communal worker or public leader would not have been left without assistance, and the community would have seen to it that he got a stipend." "True," his friend agrees. "But in Russia the children of the poor masses were hardly able to attend even the primary schools. Here, in America, higher education is considered largely as a luxury accessible either to the rich or to those hard-working, energetic students who work their way through the university. On the other hand, education in the primary and secondary schools in America is entirely free to *all* children, irrespective of race, creed, or color. Where did we have anything like that in Russia?"

It is doubtful whether anything will ever change the viewpoint of these latter-day immigrants from Eastern Europe. Their situation is positively tragic, for they are like trees uprooted by a hurricane from their native soil and flung upon strange shores in which they refuse to acclimatize themselves. Or, as an old Russian saying has it, "Departed from one shore, but not landed upon another."

It may be that among the children of these "new

immigrants" growing up in this country there will be found good timber for future American citizenship. The overwhelming majority of them, however, are definitely lost to Jewry, like so much denationalized dust.

THE END